K29
S9

THE AMERICAN HISTORICAL REVIEW

BOARD OF EDITORS

GEORGE B. ADAMS
GEORGE L. BURR
J. FRANKLIN JAMESON
ANDREW C. McLAUGHLIN
WILLIAM M. SLOANE
FREDERICK J. TURNER

MANAGING EDITOR
J. FRANKLIN JAMESON

VOLUME XVII

OCTOBER 1911 TO JULY 1912

THE MACMILLAN COMPANY
LONDON: MACMILLAN AND CO., LTD.
1912

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PRESS OF
THE NEW ERA PRINTING COMPANY
LANCASTER, PA

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CONTENTS OF VOLUME XVII.

NUMBER 1. OCTOBER, 1911

ARTICLES

W. L. WESTERMANN — The Monument of Ancyra . . . 1

A. B. WHITE — The First Concentration of Juries: The Writ of July 21, 1213. . 12

MARY P. CLARKE — The Board of Trade at Work . . 17

RICHARD KRAUEL — Prince Henry of Prussia and the Regency of the United States, 1786 44

E. S. CORWIN — The Dred Scott Decision, in the Light of Contemporary Legal Doctrines 52

DOCUMENTS—Secret Reports of John Howe, 1808, I., contributed by D. W. Parker 70

REVIEWS OF BOOKS 103

COMMUNICATIONS 201

NOTES AND NEWS 204

NUMBER 2. JANUARY, 1912

ARTICLES

W. M. SLOANE — The Substance and Vision of History 235

C. R. BEAZLEY — Prince Henry of Portugal and his Political, Commercial, and Colonizing Work 252

R. C. H. CATTERALL — Sir George Downing and the Regicides 268

I. J. COX — The American Intervention in West Florida . . . 290

E. L. BOGART — Taxation of the Second Bank of the United States by Ohio . . 312

DOCUMENTS—Secret Reports of John Howe, 1808, II., contributed by D. W. Parker 332

REVIEWS OF BOOKS 355

NOTES AND NEWS 419

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NUMBER 3. APRIL, 1912

ARTICLES

Meeting of the American Historical Association at Buffalo . . 453

WALLACE NOTESTEIN — The Establishment of the Committee of Both Kingdoms . . . 477

B. W. BOND — The Quit-Rent System in the American Colonies 496

W. E. LINGELBACH — Saxon-American Relations, 1778–1828 517

C. F. ADAMS — The Trent Affair 540

DOCUMENTS—Debates on the Declaratory Act and the Repeal of the Stamp Act, 1766, contributed by C. H. Hull and H. W. V. Temperley 563

REVIEWS OF BOOKS 587

COMMUNICATIONS 680

NOTES AND NEWS 684

NUMBER 4. JULY, 1912

ARTICLES

A. C. COOLIDGE — The European Reconquest of North Africa 723

W. L. GRANT — Canada versus Guadeloupe, an Episode of the Seven Years' War . 735

S. E. MORISON — The First National Nominating Convention, 1808 744

E. D. ADAMS — Lord Ashburton and the Treaty of Washington 764

DOCUMENTS—Journal of William K. Beall, 1812, contributed by Rev. Miles W. Smith 783

REVIEWS OF BOOKS 809

COMMUNICATIONS 885

NOTES AND NEWS 887

INDEX 918

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Volume XVII] *October, 1911* [*Number 1*

The

American Historical Review

THE MONUMENT OF ANCYRA

IT is a remarkable tribute to the constructive statesmanship of Augustus Caesar that historians and political theorists still disagree when they attempt to classify and label the political organization which he gave to the Roman state. It has been variously named an empire, a dyarchy, or a principate. The second of these terms was coined by Mommsen to apply to this political institution alone. The third is applied to no imperial organization other than the Roman empire. Augustus himself proudly states that, after he had gained complete power by the consent of all classes, he handed over the republic out of his own control to the decision of the senate and the Roman people.[1] With a fine skill in ambiguity and tactful phrase, he avoids the bald statement that he gave back the commonwealth to the senate and Roman people. He does not mention at this point the powers which the senate and people bestowed upon him after he had put an end to his anomalous position in 27 B. C. Also, naturally enough, he does not draw the sum of those powers. He emphasizes instead the separate offices which he held and says that he had no more power than those who were his colleagues in any magistracy. The statement is far from true, however true or false it may have seemed to the careful diplomat who wrote the words. For the separate powers, when massed, gave Augustus complete control of the state; and the sum of his powers made each separate office more significant.

In the years 28 and 27 B. C., and those immediately following, the phrase "restoration of the liberties of the Roman people" was the legend of coins and inscriptions. In these years the idea of the "restituta res publica" was advanced, which is found in the *Fasti* of Ovid, in the Praenestian Fasti and other inscriptions, and in Velleius Paterculus.[2] But Strabo, writing in the years 18 and 19

[1] *Res Gestae*, ch. 34.
[2] See Mommsen, *Res Gestae*, pp. 145–146.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A. D., plainly saw that "the fatherland turned over to him [Augustus] the leadership of the government and he became master of war and peace for life".[3]

In writing the *Res Gestae,* Augustus employed the phrase "res publica" when dealing with the civil wars and the time of the triumvirate,[4] and in chapter 34 where he states that he handed over the republic to the decision of the senate and Roman people. In the enumeration of all deeds and honors occurring after that period, the term "res publica" is not found in the *Res Gestae.* Does this merely happen so? I think not. There must have been but few men in the Roman senate when Augustus composed the *Res Gestae* or at the time of his death who did not realize and acknowledge the enormous scope of the constitutional powers which had been so deftly gathered into the hands of this great politician. These contemporaries of Strabo would have smiled, some of them grimly, if Augustus toward the end of his life had tried to insist upon the idea of the restoration of the republic. That there was another reason more potent and important, why the idea of the republic should be suppressed, is the thesis of this paper.

Another testimonial to the inscrutable diplomacy of the man who constructed the Roman empire out of the old timbers of the republic, is the document which was found on the walls of the temple of Augustus at Ancyra. The different attempts to bring this document under some specific literary class or type have not been entirely successful. Ernest Bormann has insisted that it was an epitaph.[5] But he has been forced to the admission that the person and the circumstances concerned were both unique, in order to explain the great divergence of this inscription from other epitaphs. He is also forced to the problematic statement that the document, published as it was after Augustus's death, may have been carried out in quite a different fashion from that expected by its author.[6] This interpretation of the Monument of Ancyra found ardent supporters in Johannes Schmidt[7] and H. Nissen.[8] Among the names of eminent scholars who have opposed this view are those of Otto Hirschfeld,[9] Ulrich von Wilamowitz-Moellendorff,[10] and Theodor Momm-

[3] Strabo, XVII. 3, 25, p. 840. *Cf.* Niese, *Hermes,* XIII. 33–36.

[4] *Res Gestae,* chs. 1 and 25.

[5] In *Bemerkungen zum Schriftlichen Nachlasse des Kaisers Augustus* (Universitäts-Einladung, Marburg, 1884).

[6] *Verhandlungen der drei und vierzigsten Versammlung deutscher Philologen und Schulmänner in Köln* (1895), p. 181.

[7] Johannes Schmidt in articles published in *Philologus,* vols. XLIV., XLV., XLVI.

[8] H. Nissen in *Rheinisches Museum,* vol. XLI. (1886).

[9] *Wiener Studien,* VII. 170–174 (1885).

[10] *Hermes,* XXI. 623–627 (1886).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sen.[11] Wilamowitz was the first to point out that it was scarcely fitting that the epitaph of Augustus, the man, should be inscribed upon the temple of Augustus, the god, at Ancyra. If, however, the people of his day regarded this document as the summary of the "res gestae *divi* Augusti", its position upon the walls of the temple was entirely proper. Wilamowitz also pointed out that Hadrian had set up, in the Pantheon which he built at Athens, an inscription modelled upon the *Res Gestae* inscription of Augustus.[12] In this document Hadrian published for posterity, as Augustus had done, some of his wars, the temples he had built or adorned, and his gifts to cities both Greek and barbarian. Similar as it was to the *Res Gestae,* the Hadrian inscription can in no way be regarded as an epitaph; and the fact that Augustus caused the account of his deeds to be set up before his mausoleum does not necessitate the conclusion that it was a grave inscription.

The matter of the name to be applied to the Monument of Ancyra is relatively of small importance. The name given to it upon the temple of Ancyra—"rerum gestarum divi Augusti exemplar"—was satisfactory to the imperial subjects in Asia Minor, and the term *Res Gestae* adopted by Mommsen described it fairly well.[13] The question of its content and purpose is the real historical problem. The idea of Wilamowitz that its chief purpose was to be a justification of the apotheosis of Augustus has not obtained credence. Wölfflin's belief that it was the balance-sheet drawn by the founder of the monarchy is almost equally inadequate.[14] Mommsen in his summary, which practically ended the protracted discussion, regarded the *Res Gestae* as the sum of his fifty years' rule drawn by the founder of the empire and set before the public.[15] He further states that, in his opinion, Augustus must have had a distinct political motive in bringing out this singular publication in his testament in the place and manner in which it appeared. What this political motive was Mommsen did not profess to know.[16]

One peculiarity of the *Res Gestae* has often been noticed, namely, that Augustus does not mention the names of any of his opponents in the civil wars, nor the names of his father and mother, not

[11] Mommsen's article in the *Historische Zeitschrift*, LVII. (Neue Folge XXI.) 385–397 (1887), is a remarkably clean-cut piece of analysis and an unanswerable summary of this phase of the discussion.

[12] See Pausanias, I. 5, 5.

[13] Mommsen believed that the title "Index Rerum a se Gestarum" must have been used by Augustus himself in the orders which he left for its publication. See *Historische Zeitschrift*, LVII. 392.

[14] E. Wölfflin, *Sitzungsberichte der phil.-phil. und hist. Klasse der Akademie der Wissenschaften zu München*, 1886, pp. 253–282.

[15] *Historische Zeitschrift*, LVII. 390.

[16] *Ibid.*, p. 395.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

even his own name, excepting where the statement is made that the senate gave him the honorary title of Augustus.[17] This peculiarity forced itself upon my attention in a different light as one of the most characteristic features of the *Res Gestae*. Foreign kings with whom the generals of Augustus fought, those who came to him as suppliants, and those set up by Augustus upon the Parthian and Median thrones are mentioned by name.[18] The names of the Roman consuls are of course used to designate the year. Apart from these there are no names actually given other than those of members of Augustus's family, with one exception. This is in chapter 12: "By a decree of the senate, at the same time a part of the praetors and tribunes of the people with the consul Quintus Lucretius and leading citizens were sent into Campania to meet me, an honor which up to this time has been decreed to no one but me." The reason for mentioning the name of Quintus Lucretius is clear. In the foregoing chapter the consuls of the year, Quintus Lucretius and Marcus Vinucius, were given, as usual, by name. The name of the consul Lucretius in the following chapter does not therefore interfere with the apparent policy of suppressing the names of all but members of the family of Caesar. In fact it would be noticeable, seeing that the two names had just been given, if the name of the one consul who went to meet Augustus should not be stated.

It is therefore safe to say that the omission of proper names in the *Res Gestae* except in the case of members of the family is a policy which Augustus pursued consciously and with a purpose. In order to determine the reason behind that policy, it is necessary to examine more closely the members of the family whose names are suggested and those actually given. The passages in which the family of Augustus appear without direct statement of names are:

Ch. 2: Qui parentem meum interfecerunt eos in exilium expuli.[19]

Ch. 10: Pontifex maximus ne fierem in vivi conlegae locum, populo id sacerdotium deferente mihi, quod pater meus habuit, recusavi.

Ch. 19: Porticum . . . quam sum appellari passus ex nomine eius qui priorem eodem in solo fecerat Octaviam.

The earlier portico was built by Gnaeus Octavius in 165 B. C.[20]

Ch. 20: Forum Iulium et basilicam, quae fuit inter aedem Castoris et aedem Saturni, coepta profligataque opera a patre meo perfeci et eandem basilicam consumptam incendio ampliato eius solo sub titulo nominis filiorum meorum incohavi et, si vivus non perfecissem, perfici ab heredibus iussi.

[17] See Gardthausen, *Augustus und seine Zeit*, I. 1285.

[18] See *Res Gestae*, chs. 27, 32, 33.

[19] Had Augustus desired to justify his apotheosis, as Wilamowitz supposed, he would certainly have used here the usual phrase, *divum Iulium*, instead of *parentem meum*.

[20] See Festus, p. 78, quoted in Mommsen, *Res Gestae*, p. 80.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Ch. 22: Ter munus gladiatorium dedi meo nomine et quinquens filiorum meorum aut nepotum nomine.

The sons were, of course, Lucius and Gaius Caesar. The grandsons were Germanicus, nephew and adopted son of Tiberius, and Drusus, son of Tiberius.

Ch. 22: Bis athletarum undique accitorum spectaclum populo praebui meo nomine et tertium nepotis mei nomine.

Ch. 22: Venationes bestiarum Africanarum meo nomine aut filiorum meorum et nepotum in circo aut in foro aut in amphitheatris populo dedi sexiens et viciens.

It is evident that Augustus desired during his lifetime to keep the names of the male members of the imperial family before the people and made use of the public spectacles for that purpose. When he wrote the *Res Gestae,* it seemed advisable for some reason to recall these benefactions and the fact that they were given by the Princeps acting in the name of members of his household. Augustus wrote this proud and simple record of his deeds with the feeling that posterity might thereby appreciate more fully his life of toil and devotion. Why then is he so careful to record the fact that these things were done in the name of sons or grandsons? Clearly he wished to lay emphasis upon these spectacles as coming not from himself alone, but from himself as head of the imperial family. As surely as there was some definite reason for this course when he celebrated the games, just so surely there was a reason for recalling the fact when he composed the *Res Gestae.*

In the following places the names of members of the imperial family are actually given:

Ch. 8: In consulatu sexto censum populi conlega M. Agrippa egi.

Ch. 8: Tertium consulari cum imperio lustrum conlega Tib. Caesare filio feci, Sex. Pompeio et Sex. Appuleio cos.

Ch. 14: Filios meos, quos iuvenes mihi eripuit fortuna, Gaium et Lucium Caesares, honoris mei caussa senatus populusque Romanus annum quintum et decimum agentis consules designavit.

Ch. 21: Theatrum ad aede Apollinis in solo magna ex parte a privatis empto feci, quod sub nomine M. Marcelli generi mei esset.

Ch. 22: Pro conlegio XV virorum magister conlegi collega M. Agrippa ludos saeclares . . . feci.

Ch. 27: Armeniam maiorem interfecto rege eius Artaxe cum possem facere provinciam, malui maiorum nostrorum exemplo regnum id Tigrani regis Artavasdis filio . . . per Ti. Neronem tradere, qui tum mihi privignus erat. Et eandem gentem postea desciscentem et rebellantem domitam per Gaium filium meum regi Ariobarzani regis Medorum Artabazi filio regendam tradidi.

Ch. 30: Pannoniorum gentes, quas ante me principem populi Romani exercitus numquam adit, devictas per Ti. Neronem, qui tum erat privignus et legatus meus, imperio populi Romani subieci.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The names which occur are, Marcus Agrippa, mentioned twice; Gaius and Lucius Caesar mentioned together in one place; Gaius Caesar mentioned once alone; Marcus Marcellus, mentioned once; Tiberius Nero, mentioned three times. These five men of the imperial household are the very ones who at one time or another during the long reign of Augustus were groomed by him and marked as the successors to his powers. No others came into consideration for the imperial succession and no others are mentioned in the *Res Gestae*. It seems, therefore, that Augustus when writing the *Res Gestae* was preparing the way for the succession in his family, just as during his principate he had prepared, one after the other, Agrippa, Marcellus, Gaius and Lucius Caesar, and finally Tiberius, for the great task. As he had prepared the Roman people for the succession, as well as these princes, by pushing them wherever possible into prominent and responsible positions, so he reminds a later generation unostentatiously of the work done at his side by Agrippa, of the young Marcellus, of the honors bestowed upon the two young Caesars, and of the faithful labors of Tiberius Nero in behalf of the state.

The passage (chapter 14) in which Augustus recalls the honors granted to Gaius and Lucius Caesar is especially significant. It occurs in the last chapter of the general division of the *Res Gestae* which recounts the "honores" of Augustus. The statement is that the senate and Roman people designated these youths as consuls in their fifteenth year, "honoris mei caussa"; that they were permitted to be present at the deliberations of the senate from the day upon which they assumed the toga virilis; and that they were called *principes iuventutis*. It seems a curious anticlimax, coming at the end of the long list of honors and offices granted to Caesar. Did these unusual privileges and attentions bestowed upon his two adopted sons really reflect so much glory upon the man who had been admitted to the senate and had been elected consul in his twentieth year,[21] who had been chosen *triumvir rei publicae constituendae* in his twenty-first year, who had declined many triumphs and even the dictatorship?[22] Evidently the honors paid to Augustus were, according to the impression he would leave, honors paid to his family, and the honors of his family were honors bestowed equally upon him. Thus the idea of the family and consequently the idea of the inheritance are tactfully suggested in the chapter devoted to the young Caesars.[23]

[21] *Res Gestae*, ch. 1.

[22] *Ibid.*, chs. 4 and 5.

[23] This fact did not escape Nissen. *Rheinisches Museum*, XLI. 487 (1886): "Die Nennung des Tiberius, des Gaius, namentlich das 14. Kapitel von der Erhe-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Stranger even than the emphasis upon the extraordinary position of the two *principes iuventutis* is the peculiar choice made by Augustus in publishing the names of his generals in the *Res Gestae*. The name of Tiberius appears in connection with the Armenian campaign of 22 B. C.[24] Gaius Caesar is mentioned in connection with the Armenian campaign of the year 2 A. D.[25] Tiberius is again mentioned by name (in chapter 30) for his victories over the Pannonians in the years 12–10 B. C. Note that in each case the relationship with the Princeps is especially emphasized: "per Ti. Neronem, qui tum mihi privignus erat; per Gaium filium meum; per Ti. Neronem qui tum erat privignus et legatus meus". Compare also the mention of Marcellus's name in chapter 21: "sub nomine M. Marcelli generi mei".

The motive which dictates to Augustus what names among his generals are to be mentioned is easily apparent. They are surely not selected on a basis of the value of their services to the state and the Princeps, nor because of the importance of their victories. The well-conducted though fruitless campaigns of Gaius Aelius Gallus in Arabia in the years 25 and 24 B. C., and the brilliant work of Gaius Petronius in Aethiopia in 24 and 23 B. C., receive the following comment:[26] "Meo iussu et auspicio ducti sunt duo exercitus eodem fere tempore in Aethiopiam et in Arabiam . . . maximaeque hostium gentis utriusque copiae caesae sunt in acie et complura oppida capta. In Aethiopiam usque ad oppidum Nabata perventum est, cui proxima est Meroé. In Arabiam usque in fines Sabaeorum processit exercitus ad oppidum Mariba." In neither case is the name of the general given, although Petronius won the position of prefect of Egypt as a reward for his success. Marcus Licinius Crassus suppressed the dangerous uprisings of the Dacians in the years 29–28 B. C., and was awarded a triumph in 27 B. C., for his able conduct of the war. His name does not appear in Augustus's statement of this outbreak.[27] The name of Gnaeus Cornelius Lentulus does not occur in the account of the Dacian wars although he earned the honor of a triumph for his service against the Dacians in the years 5–7 A. D.[28]

Still more noticeable than the omission of these names is the

bung des Gaius und Lucius Caesar zu principes iuventutis hängt mit dem dynastischen Endziel seiner Politik zusammen; in den Söhnen wird der Vater geehrt; in seinem Sinne erbt das ihm geschenkte und so glänzend gerechtfertigte Vertrauen von selbst auf die Söhne fort."

[24] *Res Gestae*, ch. 27.

[25] *Ibid.*

[26] *Ibid.*, ch. 26. *Cf.* Gardthausen, *Augustus und seine Zeit*, vol. I., book VIII., ch. 1.

[27] *Res Gestae*, ch. 30.

[28] See Mommsen, *Res Gestae Divi Augusti*, second ed., pp. 131–132.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fact that Drusus's name does not appear in the *Res Gestae*. He was a great favorite of Augustus and equally beloved by the Roman populace and the soldiers who served under him.[29] His brilliant success in conquering Germany from the Rhine to the Elbe in the years 11–9 B. C. must have won the admiration of the Princeps and aroused the enthusiasm of his people. Yet no further notice is taken of this work in the *Res Gestae* than is contained in the words: "Gallias et Hispanias provincias et Germaniam qua includit oceanus a Gadibus ad ostium Albis fluminis pacavi".[30]

Why should the campaigns of Drusus be passed over in this fashion and the doubtful successes of Gaius Caesar in Armenia be given with mention of his name, when Gaius left his work half finished and set out for Rome disillusioned and disheartened?[31] I see no other possible explanation for these facts than the one already suggested, that Augustus was intent upon recalling to the minds of the senate and the Roman populace those names which would emphasize the idea of the inheritance of the powers of the Princeps.[32] In this light the reason becomes clear why Augustus refrained from referring to the state as *res publica* in dealing with all events which occurred after 27 B. C. It is to be found in the fact that he was endeavoring to perpetuate his absolute control in the person of his stepson, Tiberius, and the old diplomat was far too keen to mention the words *res publica*, where it could be avoided, in a document intended for publication at the critical time when the matter of the succession was being decided.

The question arises whether the conditions at Rome during the last years of Augustus's life were such as to demand this indirect method of suggesting the inheritance of the power by Tiberius, who especially comes into consideration at the time when the *Res Gestae* took its final form. Furthermore, was the document published in such a manner as to further the interests of Tiberius? There can be no doubt that the uncertainty of the succession was the one great weakness in the singular state-form constructed by

[29] Suetonius, *Claudius*, 1; Horace, *Odes*, IV, 14; Gardthausen, *Augustus und seine Zeit*, I. 1040.

[30] *Res Gestae*, ch. 26. The campaign of Tiberius and Drusus against the Rhaeti and Vindelici in 15 B. C. might have been mentioned separately here, but the name of Tiberius could not well be given without that of Drusus. For this reason the campaign does not receive separate notice.

[31] See Gardthausen, *Augustus und seine Zeit*, I. 1144.

[32] *Cf.* E. Kornemann, "Zum Monumentum Ancyranum", in *Beiträge zur Alten Geschichte*, 1902, p. 153. The idea that the inheritance was in Augustus's mind when he wrote the *Res Gestae* is not a new one, as is shown by the following words of Kornemann: "Mit dem eignen Ruhm auf diesem Gebiet [d. h. der Kriegsthaten] liess sich aber jetzt der Ruhm der präsumptiven Nachfolger verkünden und damit der Dauer der neuen Ordnung ein Dienst erwiesen". In my opinion, however, the importance of this fact has either passed unnoticed or has been greatly underestimated.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Augustus Caesar. Theoretically the republic still existed and the accumulated powers held by the Princeps were held only temporarily. The extraordinary powers granted to Tiberius during the life of Augustus, including the tribunician and proconsular powers, were only bestowed upon him for periods of five or ten years at a time. The history of the first century repeatedly showed this great weakness of an uncertain succession to the imperial powers. Notably was this true at the accession of Claudius, in the year of the civil wars, and again at Nerva's accession. Augustus knew this weakness; but after he had once entered upon the great game of allowing the senate its share in the power, he was compelled to play the game steadily and consistently to the end. He sought to bridge over this difficulty by preparing a successor from his family whose training and prominence would insure him the same grants of power as Augustus had enjoyed. Gardthausen has correctly pointed out that the decision between the republic and the monarchy would be made at the crisis which must necessarily ensue upon the death of the founder of the empire,[33] when a precedent would be established which would practically be a rule.

In its general aspects, therefore, the succession was the one thing which must have occasioned Augustus anxiety, since there can be no doubt that he wished to establish the principle of inheritance. The question then arises: Were there specific conditions in relation to Tiberius, which complicated the situation and made it necessary for such careful advancement of the family idea and the claims of Tiberius as I have indicated? Tiberius was not a man who could attract and hold popularity with the crowd. The verses quoted by Suetonius,[34] which ran through the streets of Rome, testify to the popular dislike of the dour prince. Augustus himself felt uncomfortable in the presence of Tiberius[35] and felt constrained to explain his unpopularity before the senate by attributing it to his peculiar disposition.[36] The accession of Tiberius was by no means unquestioned. Suetonius narrates the plot of a slave of the young Agrippa against Tiberius's life, the attempted coup d'état of L. Scribonius Libo, and the revolts of the armies in Illyricum and in Germany all occurring at that time.[37] Tacitus has imagined and painted the heart and thought of the city of Rome at the time of Augustus's death with his usual keen insight and dramatic skill.[38] In his analysis

[33] Gardthausen, *Augustus und seine Zeit*, I. 533.
[34] Suetonius, *Tiberius*, ch. 29.
[35] *Ibid.*, ch. 21.
[36] *Ibid.*, ch. 68; Tacitus, *Annals*, I. 10, 7.
[37] *Ibid.*, ch. 25.
[38] Tacitus, *Annals*, I. 4–8.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the situation, the chief cause of fear on the part of Tiberius lay in the attitude of Germanicus who was then in command of the legions along the Rhine.[39] Indeed these mutinous legions, if Tacitus may be trusted, offered to support Germanicus in case he would consent to strike for the imperial powers.[40] To the fidelity of Germanicus at this critical stage Tiberius surely owed his deepest gratitude. Whether Augustus foresaw the possibility of an attempt to invest Germanicus with the imperial offices or not, the omission of Drusus's name from the account of the deeds, and that of Germanicus as well, helped to clear the decks, at least in the senate, for Tiberius's accession.

Tiberius aptly expressed his feeling of insecurity at this critical stage when he said that he felt as though he had a wolf by the ears. His desire to have the office thrust upon him became patent to the senate itself and wearied some of its members. Yet this play seemed necessary, since the powers already granted him through the influence of Augustus were in theory still regarded as extraordinary; and the situation demanded that he should say that he hoped at some time to lay down the burden placed upon him.[41]

The list of documents written by Augustus, in which the *Res Gestae* were included, had been deposited by the Princeps with the Vestal Virgins sixteen months before his death. They consisted of the will and three other documents. The first of the group of three contained the orders in regard to his funeral, the second was the *Res Gestae,* the third a summary of the military and financial condition of the empire. These three documents were read before the senate by Drusus,[42] son of Tiberius, in the first meeting held after the death of Augustus. No action had as yet been taken in regard to conferring the powers upon Tiberius. It seems evident, therefore, that the publication of the deeds of Augustus at that particular time and place was decided by the needs of the situation. Augustus reckoned upon its effect upon the senate. He could not consistently name his successor. He could, however, make use of the account of his deeds to justify the inheritance of power in his family and influence the senate's opinion in favor of Tiberius. In like manner the publication of the document before the mausoleum of Augustus would, as the aged Princeps no doubt hoped, accustom the people of Rome to the idea of the inherited monarchy.

It would be folly to assert that this purpose was the sole or even the most important one which animated Augustus in writing the

[39] Tacitus, *Annals,* I. 7, 9.
[40] *Ibid.,* I. 35, 3.
[41] Suetonius, *Tiberius,* ch. 24.
[42] Suetonius, *Augustus,* ch. 101, and *Tiberius,* ch. 23.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Res Gestae. My only claim is that this political motive was in his mind when he wrote the document and that it played a considerable part in the composition and in the manner of publication of the *Res Gestae*.[43]

[43] I have reserved for another time the attempt to square the results of this investigation with Kornemann's contention in regard to the time of composition of the different parts of the *Res Gestae*. In general it may be said that the conditions which demanded emphasis upon the idea of the inheritance remained the same throughout Augustus's principate. Therefore the results of the paper are not affected if one accepts Kornemann's conclusion that the final revision by Augustus occurred in 6 A.D. See Kornemann in *Beiträge zur Alten Geschichte*, vols. II., III., IV., V.

W. L. WESTERMANN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE FIRST CONCENTRATION OF JURIES: THE WRIT OF JULY 21, 1213

AMONG the bits of original material which give us our scanty knowledge of the beginnings of the House of Commons, few have more interest than the royal writ of July 21, 1213, found embedded in the chronicle of Wendover.[1] Few also have given more trouble to the researcher in this field. The House of Commons originated in the bringing together of local juries at a central point to plan taxes or to inform the king on local revenue matters or the doings of his officials. Juries had often been used for such purposes before the device of getting them together and questioning them *en masse* had been thought of. But in studying the origin of an assembly, this feature of concentration is fundamental; and it is highly important to know the very first instance in which the idea was clearly present. For, whether or not this first instance served as a precedent and thus constituted the historical discovery of the new feature, it indicates the degree of development and familiarity reached by the practices and ideas out of which the new institution grew; and it is no small thing in understanding the origin of an institution to know the point at which it was potentially present.

It has been generally supposed that the writ under discussion records the first instance of jury concentration. But the language has at the same time appeared to contain the expression of at least two ideas so at variance with the known practices and conceptions of the time that, being but a chronicler's copy, many scholars have lost faith in the writ and have come to regard it as a text hopelessly corrupt. In the first place, the purpose being to assess the damages and losses inflicted on the Church by the king, why should the king have directed his summons to royal demesne juries, a curious specialization in any case, but particularly so in this, since it has been supposed that the men in the royal vills had little or no knowledge of the matter to be investigated? In the second place, how account for the word *alios* before *ministros suos,* where it clearly

[1] "In crastino autem misit rex litteras ad omnes vicecomites regni Angliae, praecipiens ut de singulis dominicorum suorum villis quatuor legales homines cum praeposito apud Sanctum Albanum pridie nonas Augusti facerent convenire, ut per illos et alios ministros suos de damnis singulorum episcoporum et ablatis certitudinem inquireret, et quid singulis deberetur." Stubbs, *Charters,* fifth ed., p. 276.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

implies that the reeve and four men were royal ministers, an implication apparently contrary to fact?

Two noteworthy attempts to grapple with these difficulties, which have appeared in recent volumes of the *English Historical Review*,[2] have yet left scholars questioning and dissatisfied. Mr. Davis avoids the troublesome implication of *alios ministros suos* by an emendation which, as Mr. Turner justly remarks, makes the chronicler's copy look less like a royal writ than it does already. He retains the traditional idea that the juries were drawn from the royal demesne, but believes that they were consulted in the localities by the sheriffs who brought the findings to the central meeting of August 4. Mr. Turner rejects the royal demesne juries on the ground stated above. To assume jurors not having a knowledge of the facts would do violence to a stable characteristic of the primitive sworn inquest. He is forced to believe, then, that they were juries drawn from the vills on the bishops' estates, and he explains the *dominicorum suorum* by imagining an omitted prefatory recital in which the bishops and their wrongs were mentioned, thus making *suorum* refer to the bishops rather than to the king. Moreover, Mr. Turner appears to believe that the juries may actually have gathered at St. Albans on August 4, but that the king soon recognized that the testimony of these ecclesiastically biased groups needed sifting and hence, through his writ of August 31,[3] undertook to cooperate with the archbishop in a mutual inquisition held in the localities.

Is it not possible to make a reasonable interpretation of the document without resorting to a dubious emendation or a supposed omission? A valid starting-point may be taken in Mr. Turner's dictum that no juries of this time could have been judges of fact except in the rudimentary way which is now well recognized in most forms of the primitive inquest. These juries, then, whoever composed them, were chosen because they knew or were supposed to know about the damages and losses which the king had inflicted

[2] H. W. C. Davis, *English Historical Review*, XX. 289, 290; G. J. Turner, *ibid.*, XXI. 297–299.

[3] "Rex vicecomiti Somerset, et Dorset, etc. Tibi precipimus quod sine dilacione ex parte nostra praecipias Roberto de Berkeley, Rogero de Penton, et Osberto filio Willelmi, quod omni occasione postposita veniant ad diem et locum, quos dominus episcopus Bathon' tibi scire fecerit, ad audiendam inquisitionem de ablatis et dampnis episcoporum et clericorum, et omnium virorum ecclesiasticorum et aliorum negotium ecclesiae contingentium, faciendam, coram clericis domini Cantuar' archiepiscopi, quos ad hoc per litteras suas patentes assignaverit.

"Et summone ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Angliae, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam.

"Teste meipso apud Northampton, xxxi die Augusti." *Foedera*, I. 114. See also *Close Rolls*, I. 164, 165.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the Church. What men in the localities knew most on this subject? A quite definite answer is found in the *Annals of Waverley* for the year 1208. After telling of the publication of the interdict and how the angry king sent "his ministers" throughout England to confiscate church property, the chronicler continues: "Qui circueuntes regionem saisiaverunt bona clericorum mobilia et immobilia intra et extra, committentes curam rerum illarum in singulis villis vicinis hominibus, per quorum manus clerici perciperent de rebus suis necessaria".[4] It is not possible to suppose that the king selected for this charge men in the bishops' vills. But it is altogether likely that men in nearby royal vills were used. From the king's point of view, such men would have been in every way most available. And it need not be supposed that every royal vill in the diocese, or even in the neighborhood, was concerned; it is clear, from the context, that *singulis* is used here in its frequent sense of "separate" or "individual" rather than "each" or "every". We may conclude that as many and such vills were selected as circumstances required.

That local groups had had custody and oversight of church property since 1208 and were, in August, 1213, regarded as having exceptional knowledge of the facts and as men whose presence at the local inquest the king desired in his own interest, is shown from the above mentioned writ of August 31: "Et summone ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Angliae, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam". As to the kind of group in each vill to which the confiscated property had been entrusted, it is highly probable that it consisted of the reeve and four men. For over a century, vills had nearly always been thus represented when called upon for any kind of public service; and in 1225 this group was employed throughout the country in collecting a "fifteenth"; the money passed into their hands first, a proceeding quite analogous to the handling of the church property in the instance under consideration, and there is an interesting parallelism in language: "Quam quidem quintam decimam milites illi recipient per manus quatuor legalium hominum et praepositorum singularum villarum," . . .[5] It seems necessary to conclude that

[4] The whole passage concerned reads: "Rex igitur hoc edicto generaliter pronunciato per Angliam, miro modo turbatus, praecipit confiscari per universum regnum suum omnes possessiones episcoporum et clericorum et virorum religiosorum, et omnia bona ecclesiastica, et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscanda bona ecclesiarum. Qui circueuntes regionem", etc. Stubbs, *Charters*, fifth ed., p. 274; *Ann. Wav.*, p. 260.

[5] "Writ for the Collection of the Fifteenth." Stubbs, *Charters*, fifth ed., p. 356.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the juries summoned on July 21 were the same as those summoned on August 31 and that they consisted of the men in the demesne vills who had been keeping the church property. The order of events, then, was this:

1. The king, in 1208, turned over the confiscated church property in each diocese to the reeve and four men of certain nearby demesne vills. These men retained more or less custody or oversight of this property until 1213.

2. After his surrender to the pope, May 15, 1213, John was absolved by the archbishop on July 20, four days after the latter's landing in England. Two objects must immediately engage the king. First, he must assemble a council to further his cherished purpose of an expedition to France. The barons had long been refusing to follow him to France on the ground that he was excommunicate. Second, he was bound, however reluctantly, to take steps to indemnify the Church. The first step was to assess the "damages and losses", and the writs were sent on the day after he was freed from excommunication. The men who knew the facts and who at the same time would not be likely to overestimate the royal depredations were the groups from those neighboring royal vills to which the king had entrusted the confiscated goods. Through the sheriffs, he summoned them to St. Albans for August 4. The word *singulis* in the second line of the writ undoubtedly had the same meaning as in its analogous use in the passage from the Waverley *Annals*. Mr. Turner's fatal objection to demesne juries thus appears to be removed, and the writ throughout presents no real difficulty and may be accepted exactly as it stands in Wendover. As to the implication conveyed by the words *per illos et alios ministros suos* that the four men and reeve were ministers, it may be said: first, that men who had been acting so long as royal custodians might, with no great impropriety, be called ministers, especially in view of the very loose, general, and often humble senses in which *minister* was then used; secondly, if Mr. Turner believes that the episcopal reeve alone gives a sufficiently ministerial tinge to his group from the bishop's vill to account for the *alios*, we are certainly in no greater difficulty when we posit a reeve and four men from a royal vill. One has always been a little curious to know just who these *alios ministros suos* were from whom the king expected additional information. The sentence in the Waverley *Annals* just preceding the one quoted above suggests an answer: . . . "et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscenda bona ecclesiarum". These men must also have had exceptional knowledge of the matters under investigation.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

3. It has generally been concluded from the silence of the chronicles which tell of the St. Albans meeting that, for some reason, the plan fell through and the summoned juries did not convene. There is no reason to question this conclusion. It is highly improbable that the monkish chroniclers would have failed to mention an inquest in which the whole Church was deeply interested. From July 21 to August 4 was doubtless too short a time to carry out such an unusual scheme.

4. During August, the Archbishop of Canterbury seems to have taken the initiative in ordering local inquests on the same subject. He was probably exasperated by John's delays. John must have felt the necessity, if inquests were to be held, of having his own interests safeguarded; and, on August 31, sent out the writs of that date cited above. The same men were summoned who had been put in charge of the church goods in 1208, and, if the present deductions are sound, the same who had been named in the writs of July 21.

This explanation of the famous writ leaves it what it traditionally has been supposed to be, except that it is not to be believed that *every* royal vill was included in the summons. But its study in the light of what happened at the opening of John's quarrel with the Church and the local inquest ordered on August 31 removes, in the opinion of the writer, the difficulties which have beset its interpretation.

ALBERT BEEBE WHITE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE BOARD OF TRADE AT WORK

To the student of colonial history few English institutions offer more of interest than the one which, in name at least, presided over the destinies of the English establishments in North America, the Board of Trade and Plantations. The full story of its activities remains to be written, but in the course of investigations to that end many details of its inner life, scarcely less important and often much more interesting than the record of its public acts, have come to light. It seems not without value to bring these together to form a picture of the Board as a living, working body. For it is particularly true of the old British administrative councils that their internal history is often hardly inferior to their external career in importance. This is peculiarly true of the Board of Trade. It is proposed in the following study to describe as well as may be, what in an individual would be called, its private life.

"They had", says Roger North in his *Examen*, writing of a Restoration Council of Trade, "a formal Board with Green Cloth and Standishes, Clerks good store, a tall Porter and Staff and fitting Attendance below and a huge Luminary at the Door. And in Winter time when the Board met, as was two or three times a Week or oftener, all the Rooms were lighted, coaches at the Door and great passing in and out as if a Council of State in good Earnest had been sitting." Though these words were applied to an earlier establishment they are full of suggestions of the later and greater Board. Beginning its career in the spring of 1696 without precedent or traditions beyond such as were derived from these earlier bodies, the new Board of Trade had neither meeting-place nor employees, material assets nor order of procedure. By the second quarter of the eighteenth century it had become a fixed and elaborate institution, with the outward look of "a Council of State in good earnest", so that North's half-humorous description no doubt well fitted the later board to which he was accustomed. To trace some of the steps by which its complex organization was evolved, and to give a glimpse of its inner life, its character and membership, is the purpose of this paper.

One of the first requisites for a new establishment like this was a meeting-place. In the royal commission issued in May, 1696, the persons therein named were directed to "meet together at some con-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

venient place in our palace of Whitehall which we shall assign for that purpose or at any other place that we shall appoint for the execution of this our commission ".[1] Though the place was thus named by the king, the details were left to be arranged by the commissioners themselves. For the first few meetings they occupied a room at Whitehall, adjoining the apartments which, late in July, were assigned for their permanent use.[2] The Board in a body officially inspected the rooms,[3] and spent considerable time discussing them, corresponding with the Treasury, the Lord Keeper, and even the king,[4] and interviewing Sir Christopher Wren who was then surveyor of the royal works.[5] As a result the office was fitted up in the course of the summer. It was occupied, however, only about a year and a half. On January 4, 1698, occurred the Whitehall fire, in which the Plantation Office, along with others, was destroyed.[6] By prompt action on the part of the secretary and clerks, the papers were probably all saved with the exception of a bundle relating to Africa.[7] The secretary, William Popple, took the books and papers to his home in Essex Street and there the meetings were held for about two months.[8] During this time, as before, the Board negotiated with Sir Christopher Wren[9] about the fitting up of the office.[10] In March permanent quarters were provided in that part of old Whitehall which had been commonly known as the Cockpit, and which about this time was remodelled for the Privy Council Office.[11] By 1718 the Board had outgrown this location and was asking for repairs and the building of a new room,[12] but no change was made

[1] Board of Trade Journal (B. T. J.), vol. IX., p. 1.

[2] *Ibid.*, p. 25.

[3] *Ibid.*, p. 12.

[4] *Ibid.*, pp. 11, 13.

[5] *Ibid.*, pp. 7, 8, 9.

[6] B. T. J., X. 391.

[7] B. T. Calendars, 66, contains an inventory of books and papers of the Plantation Office. Against one of them is the memorandum, "This bundle of African papers was lost in the fire at Whitehall Jan. 4. 1697/8".

[8] B. T. J., X. 391–446.

[9] *Ibid.*, pp. 397–398.

[10] Even minor details were discussed at the Board. In one case the secretary was instructed to write for "locks, grates and tongs" for the rooms of the Board of Trade. B. T. J., X. 415.

[11] John Timbs, *Walks and Talks about London*. The word Cockpit was used only a few weeks. After May 30, 1698, the Board's papers were all dated at Whitehall, but there was no change at this time.

[12] B. T. J., XXVII. 65. In July, 1720, this demand was increased to two rooms, and from this time till 1736 requests for repairs were frequent. The complicated interrelation among parts of the British government may be illustrated by the fact that these requests were addressed at different times to the Lord Chamberlain, the Lords Justices, the Lords of the Treasury, and the Board of Works. The decision seems to have been that the Treasury was the proper authority. *Ibid.*, p. 181; XXX. 270, 283, 288; XXXI. 328, etc.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

till 1723. In that year the Commissioners of Trade were asked to vacate their office in favor of the Bishop of London[13] and were assigned to other apartments in Whitehall. Here they worked without interruption for nearly twenty years. In 1742 the building which they occupied was sold to the "Commissioners for Erecting a Bridge at Westminster", who demanded a rental of £120 annually and refused to lease the place for longer than a year and a quarter in advance.[14] The Board paid rent till the summer of 1746, when a new office was fitted up in the Cockpit over the Treasury.[15] Here —and it was probably true of earlier buildings as well—the clerks and under officers "resided in the attick story" above the rooms of the Board of Trade.[16] No doubt this was in order to have them ever at hand, for their office hours were many and long. By 1774 the Board's lengthy reports and accumulated material had again outgrown the available space. On November 5, a petition was sent to the Treasury asking "either that the other state papers now kept in the rooms adjoining to these apartments on the South may be removed or that some other place within His Majesty's Palace of Whitehall may be appointed for carrying on the business of this department".[17] As this is the last trace in the Journal of the housing of the Board, the situation, most likely, was not relieved till the dissolution in 1782.

In spite of these repeated changes, the general arrangement of the Plantation Office must have been similar throughout. With the exception probably of the first temporary location, it always consisted of four rooms or groups of rooms. The Council Chamber, where formal meetings of the Board were held, must have been of considerable size, as it was usual to give audience to a number of people at one time.[18] Here the commissioners seem to have sat around a table, each having his own place according to a definite order of precedence.[19] Communicating with this room from one side was that of the secretary, and from another side the waiting-room or rooms[20]—for there were at times several of them—

[13] B. T. J., XXXIII. 194.

[14] *Ibid.*, vol. LI. pt. I., p. 75.

[15] *Ibid.*, LIV., 49.

[16] *Ibid.*, LXVI. 197.

[17] *Ibid.*, LXXXII. 69.

[18] *E. g.*, March 26, 1737, when a "great number of Quakers" attended the Board. B. T. J., XLVII. 98.

[19] The names of the Lords of Trade always appear in a fixed order. When a name was omitted from the Commission, all below it were advanced and the name of the new member placed at the end of the list, except that a peer's name took precedence of others.

[20] B. T. J., XXXVIII. 235.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

where witnesses, petitioners, and visitors of all sorts had to wait till formally admitted to the Board. Besides these[21] there was the clerks' room, which was most carefully guarded from outside intrusion. It was furnished with a separate desk for each clerk[22] and facilities for the constant drafting, copying, and assorting of documents.

It will be seen, then, that the Colonial Office was an establishment of considerable size and orderly arrangement. The Board of Trade which occupied this office was likewise well organized. It consisted at the outset of eight active and eight honorary members. The honorary or ex-officio members, the Chancellor, President of the Council, Keeper of the Privy Seal, Lord Treasurer, Lord High Admiral, two Secretaries of State, and Chancellor of the Exchequer, were required to attend the Board only on special occasions.[23] On the active members, two[24] lords and six commoners, devolved therefore the responsibility of office. The member first named in the commission—and this was always a peer—was the president. Three members were to constitute a quorum for the transaction of business, while all letters and representations must be signed by five. This last requirement was lowered to four in 1697.[25] From 1707 to 1712 only seven active members were named, and from 1712 to 1717 the Chancellor of the Exchequer was omitted from the honorary list. Otherwise the constitution of the Board was unchanged until 1768, when the newly established Secretary of State for the Colonies became ex-officio president, and only seven members were appointed by name. From 1779 to the dissolution in 1782 there was a separate president, thus making up the usual number of active members apart from the Secretary of State.

The Board seems to have had full authority over the time and frequency of its own meetings;[26] and if the number of them is any

[21] It is clear that there must have been also, especially in the Board's later years, a room or group of rooms used for storing the immense mass of books and papers that had accumulated. Curiously enough, the Journal makes no mention of such rooms.

[22] B. T. J., LVI. 100.

[23] "And we do hereby further declare our royal will and pleasure to be that we do not hereby intend that our Chancellor [etc.] . . . shall be obliged to give constant attendance at the meetings of our said Commissioners, but only so often and when the presence of them or any of them shall be necessary and requisite and as their other public service will permit." From the Commission, B. T. J., IX. 1. It is printed in *N. Y. Col. Doc.*, IV. 145.

[24] After 1714 and during short intervals before that time, only one lord was appointed to the Board, the other members being commoners.

[25] B. T. J., X. 233.

[26] *E. g.*, on June 25, 1696, the Board decided to meet every Monday at 4 p. m. and every Wednesday and Friday at 10 a. m. (B. T. J., IX. 7) and on June 23, 1702, it decided to meet Mondays and Wednesdays at 4, and Tuesday, Thursday, and Friday at 10 (*Ibid.*, XV. 97).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

indication, it must have been, during the first few years of its history, a very efficient public servant. In the first ten years it was not uncommon to meet eighteen, twenty, or even twenty-four times a month, and the average per month for a whole year was sometimes as high as eighteen or nineteen. By the middle of the century this average had been lowered to the neighborhood of ten, the Board's zeal having somewhat abated. After 1768 there was a more marked falling off, due possibly to the decrease of the Board's authority and its dependence on the Secretary of State for the Colonies.[27] Not only were the meetings less frequent in the winter, but it came to be customary to indulge in a vacation in the summer or autumn. As early as the '30's it was common to adjourn[28] for a month, and as time went on this was increased to two months and even three during which no effort was made to hold any meetings whatever. Perhaps this may throw some light on Edward Gibbon's admission that "our duty was not intolerably severe and that I enjoyed many days and weeks of repose without being called away from my library to the office".[29]

In attendance as well as the number of meetings the Board made a good beginning. At first the average attendance ranged from four to six with a "full Board" on special occasions. In this as in other particulars enthusiasm waned toward the middle of the century, though it was somewhat renewed again at the end of the period. As early as 1708 there was some difficulty in getting enough members together to transact business,[30] and in 1709 the Earl of Sunderland ordered that enough members to form a quorum should be always in town.[31] When this was not the case a special summons was sometimes sent to the absentees who happened to be at the

[27] In 1774 the Board met, on an average, about twice a month, the lowest figure that it ever reached. Even this compares favorably with the Committee of Council for Trade and Plantations from 1675 to 1696, which met seven times a month during only one year, five times a month during one year, and the rest of the time from four times to a little more than once a month. Dr. Andrews says (*British Committees, Commissions, and Councils of Trade and Plantations, 1622–1675*, p. 78) that the Council of Trade held forty meetings in the year 1661. The Board held 35 meetings in 1774, 100 in 1767, 135 in 1749, 162 in 1730, 189 in 1715, and 230 in 1697.

[28] Adjournment might be for the "usual recess" in the summer or for other reasons. On March 7, 1768, the Board adjourned till April 12, "on account of the approaching general election". B. T. J., LXXVI. 58. As most members of the Board were members of Parliament, they probably needed this time to look after their interests in the country.

[29] *Memoirs of Edward Gibbon* (ed. Henry Morley), p. 176. Gibbon was a member of the Board from July 14, 1779, to the disestablishment in 1782.

[30] B. T. J., XX. 35; XXI. 225.

[31] *Ibid.*, XXI. 234.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

least distance from London.[32] A few times in 1733 Martin Bladen was left to uphold, alone, the dignity of the office.[33] So far as appears in the Journal the "Secretary acquainted the Board"[34] as usual of the business to be transacted and all the routine was gone through as though a quorum had been present.

The fact that anything at all could be done with only one member present is due, no doubt, to the constant attendance of the employees. Through them the Plantation Office was a permanent and continuous establishment which was always at work even when the Board itself did not meet. It is necessary, therefore, to glance at the office force and see just how it was constituted. The secretary was the most important official next to the commissioners themselves. At the first meeting that the Board ever held, June 25, 1696, it was decided to have a secretary and William Popple was appointed to that office.[35] Although this appointment was made by the Board, all following secretaries were named by the crown, while the Board continued to choose the other officials. In the first few weeks, employment was given to three clerks, two messengers, two doorkeepers, and a "necessary woman" or janitress, while two stationers were engaged to furnish paper under the Board's patronage.[36] In 1701 another clerk was added.[37] By 1708 the office staff consisted of a secretary at £500, a deputy secretary or chief clerk at £100, and seven clerks, two messengers, a doorkeeper, and a janitress, at from £80 to £30, the total amounting to £1150 a year.[38] After removing to the new office in 1724 the Board felt the need of a porter to attend at the door. The request was granted by the Treasury and the new officer installed at £40 per annum.[39] In 1730 the Board asked for and obtained still another official known as the solicitor and clerk of reports, at £200.[40] For over thirty years this position

[32] B. T. J., XL. 176.

[33] *Ibid.*, XLIII. 112, 114, 127, 128.

[34] After reading the Journal's frequent repetitions of this formula one is tempted to reverse the familiar story told of Bladen that when he applied himself to the business of the office, his friends in derision called him "Trade" and his colleagues "the Board". See *Dictionary of National Biography*, art. Martin Bladen.

[35] B. T. J., IX. 7.

[36] *Ibid.*, pp. 8, 11.

[37] *Ibid.*, XIV. 194.

[38] *Ibid.*, XX. 22.

[39] *Ibid.*, XXXIV. 115, 190. In 1733 the secretary reported that disorderly persons were in the habit of causing disturbance in front of the office at night. The Board therefore petitioned the Secretary at War for a sentinel to station at the door. B. T. J., XLIII. 13. I failed to find any evidence in the Journal that this officer was appointed.

[40] B. T. J., XL. 204; also, *Calendar of Treasury Books and Papers*, 1729–1730, p. 437.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

stood next in rank to the secretaryship and served as a stepping-stone to that post. In 1764 the deputy secretary was promoted to second place at £300, while the solicitor at £150 stood between him and the clerks. At the same time the number of clerks was raised from seven to nine, and all the salaries increased.[41]

There were, then, at the end of the period, at least fifteen persons—some of them with considerable salaries—directly under the Board's control. Besides these there was a law-officer who must be counted a part of the establishment, though his position was on a higher plane than that of the other officials, and his attendance was only occasional. The reason for such an office was this: all colonial laws had to be examined by the Board of Trade and submitted by it to the king with a recommendation for their confirmation or repeal. Also many colonial questions were considered on which a technical legal knowledge was necessary. To obtain a legal opinion, it was at first customary to consult the attorney-general and the solicitor-general, sometimes separately and sometimes jointly. In order to make their work more systematic, they were, in November, 1698, asked to divide the field between them.[42] By 1718 the amount of business had outgrown the available time of either. It was, therefore, decided to appoint one of His Majesty's counsel-at-law to respond to all legal questions of the Board except those of the greatest importance, which were still to be referred to the attorney or solicitor.[43] This office was held by four persons: Richard West,[44] who was a playwright as well as a lawyer, held it from 1718 to 1725: Francis Fane, himself a member of the Board at a later time, from 1725 to 1746; Matthew Lamb, at one time a member of Parliament for Peterborough, from 1746 to 1770; and Richard Jackson,[45] whose remarkable knowledge won for him the title "Omniscient Jackson", from 1770 to the end of the Board's career in 1782.

The employees of the office, especially the clerks, were subject to rules[46] devised by the Board itself and varied from time to time. The hour at which they were to report for duty was sometimes eight o'clock, sometimes later, but there was always provision for an

[41] B. T. J., LXXII. 348. The ninth clerk seems never to have been appointed, though the eight served for some time.

[42] B. T. J., XI. 278.

[43] *Ibid.*, XXVII. 133, 203.

[44] West is said to have attended the Board twice a week and received three guineas for every attendance. *Cal. Treas. Papers*, 1720–1728, pp. 114, 313. He resigned this office in 1725 to become Lord Chancellor of Ireland. See article Richard West in *Dict. of Nat. Biog.*

[45] For details of Jackson's life, see *Dict. of Nat. Biog.*

[46] Such rules may be found in B. T. J., XXIV. 341; XXXVII. 183; XXXVIII. 235; XLI. 124; XLV. 66, 260; L. 30; LVI. 100; LXXII. 541; etc.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

afternoon and, if necessary, an evening session, subject to the call of the secretary. In any case clerks were expected to be at work regularly without reference to meetings of the Board, in order to prepare business for such meetings. No clerk could leave the building without permission of the secretary, and before leaving it each one must turn over to that officer all books and papers in his desk to be locked up for safe keeping. The strictest vigilance was maintained to prevent documents from falling into the hands of persons for whom they were not intended. To this end, papers were not allowed to leave the building without permission of the Board, and the clerks while on duty were forbidden to communicate with anyone from outside, except through the agency of the secretary. Two rules were made to prevent the corrupting of clerks—that they should not act as agents for the plantations,[47] and that "no clerk should presume to demand money of any person for business done in this office".[48] This latter seems not to refer to extraordinary attendance at the Board or the copying of papers for private persons, for which fees could legitimately be taken. The Privy Council issued an order August 12, 1731,[49] settling a schedule for such fees, and this was hung up in the office and referred to during the remaining fifty-one years of the Board's history.[50] The penalty for violation of rules was dismissal from employment, and it was one not infrequently resorted to. It might be inflicted directly by the Board, or by the secretary, who had authority to suspend clerks for neglect of duty and submit his action afterwards to be sustained or reversed by the Board. The two most interesting cases of dismissal are those of Bryan Wheelock and John Lewis. Wheelock was expelled July 13, 1714, for charging Arthur Moore, a member of the Board, with improper correspondence with the court of Spain.[51] He was, however, soon reinstated and promoted to the office of head clerk,[52] which he held till his death in 1735. Lewis was accused in July, 1769, of having written treasonable letters to persons in America advising continued opposition. Testimony was taken of the other clerks and, being convicted of the charge, he was dismissed.[53]

[47] On May 1, 1724, Anthony Sanderson, a clerk, asked permission to act as agent of Massachusetts, till the dispute with the governor be settled. It was refused as inconsistent with the above rule. B. T. J., XXXIV. 107, 110. This incident is referred to in a letter dated May 24, 1724, from John Colman in London to his brother in Boston, giving an account of a hearing before the Privy Council on a complaint brought by Governor Shute against the House of Representatives of Massachusetts. Printed in *Collections of the Massachusetts Historical Society*, first series, V. 32–35.

[48] B. T. J., XXIV. 341; XL. 202.

[49] *Ibid.*, XLI. 230.

[50] *Ibid.*, LXXXVIII. 32.

[51] *Ibid.*, XXIV. 263.

[52] *Ibid.*, p. 341.

[53] *Ibid.*, LXXVII. 120, 132.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

When, for any reason, a clerk left the service, all below him were promoted and the new appointee placed at the foot of the list. It was not uncommon for a clerk who had grown to old age or infirmity in the service of the Board to be retired on the whole or a part of his salary. This was done as early as 1714.[54] In 1764 the plan was adopted on a large scale.[55] Lord Hillsborough represented to the Chancellor of the Exchequer the need of more clerks and of higher salaries. As a result the Treasury made an additional grant of £1715 per annum to be used as the Board should see fit. The Board thereupon created two new clerkships,[56] raised all salaries, and allowed the deputy secretary and four clerks to retire on a pension for life.[57] As pensions reverted they were to be applied to still greater increase in salaries.

The appointment of officers, as time went on, was reduced to a definite system of patronage. The president gradually acquired the right to fill the first vacancy after he came into office, while the other commissioners took turns in naming a candidate, and their nominations were always accepted. This method was in use until 1764. On July 4 of that year, the same day on which the pensioning system was arranged as already noted, the Board adopted a "civil-service reform" of its own making.[58] By this each candidate for a clerkship was to present a specimen of his writing and write another specimen "in the outer room". The members of the Board still took turns in suggesting names, but each must be examined as to the qualifications of his candidate, and must withdraw during the discussion that followed. If the election failed he was not to lose his turn to nominate. In practice the applicants seem also to have undergone some sort of examination,[59] and several clerks served a week or more on probation without salary before being admitted to

[54] *Ibid.*, XXIV. 341.

[55] *Ibid.*, LXXII. 348.

[56] We have already seen that only one of these positions was ever filled. See above, note 41.

[57] It must be owned that many people seem to have looked upon employment in the Board's office as a means of livelihood, rather than a post of duty. The commissioners did not easily desert their servants. In July, 1781, the secretary, Richard Cumberland, came back from a mission to Spain and Gray Elliot, who had acted in his absence, was thus thrown out of office. On July 13 the Board recommended him to Lord North for employment. B. T. J., LXXXIX. 270. On the 18th an answer was received that North had no vacancy for Elliot but would "certainly make no difficulty" in allowing £250 in contingencies of the Board till he could be provided for and would "consider himself as obliged to the Board" if they could save this amount from their expenses. *Ibid.*, p. 279.

[58] B. T. J., LXXII. 348.

[59] *Ibid.*, p. 444.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

regular employment.[60] By 1779 these details had been dropped and the old method of appointment resorted to.[61]

A study of the names and relationships of the Board's employees might produce some curious results. Some families stood in high favor with the colonial department, and acquired a remarkable ability for getting their names on the waiting list.[62] The Popples are the best illustration of this. The Board of Trade's first secretary, William Popple, who by the way was a nephew and protégé of the poet Andrew Marvell and had himself a slight place in literature through his translations,[63] left his office in turn to his son William[64] and his grandson Alured,[65] the family holding it continuously for forty-one years. But that is not all; in 1737, the year in which Alured Popple of the third generation resigned the secretaryship to become governor of Bermuda,[66] William Popple the third, another member of the family and a dramatist of some note, entered the Board's employ as solicitor and clerk of reports.[67] This post he held till 1745 when he went to Bermuda to succeed Alured as governor.[68] Not only this but Alured himself served an apprenticeship as a clerk for five years before being made secretary[69] and his brother Henry was a clerk for a few months in 1727.[70] The Popple family, therefore, spent sixty-three years in one capacity or another in the service of the Board of Trade.

The only family that can at all rival the Popples is that of the Pownalls. John Pownall entered the Board's service as a clerk June 24, 1741.[71] He became solicitor and clerk of reports in 1745,[72] joint secretary in 1753,[73] and secretary in 1758,[74] holding this office

[60] B. T. J., pp. 457, 467; LXXIII. 130.

[61] *Ibid.*, LXXXVII. 210.

[62] *Ibid.*, XXX. 336; XXXII. 64.

[63] *Dict. of Nat. Biog.* His most famous translation was that of Locke's *Letter on Toleration*. He was associated with Locke at the Board of Trade.

[64] B. T. J., XIX. 165.

[65] *Ibid.*, XXXII. 100.

[66] *Ibid.*, XLVII. 186.

[67] B. T. J., XLVII. 106. According to an article in the *Dictionary of National Biography*, William Popple III., who was clerk of reports, was the only son of William Popple II., the Board's second secretary, and was a "relative" of Alured. It is very clear from the Journal that Alured and Henry were brothers and were sons of the second William. B. T. J., XXXII. 64, 100; XLIII. 161; XLIV. 174. Who the third William was I do not know, though I had supposed him to be Alured's son. He is spoken of in Pope's *Dunciad*—"Lo P-p-le's brow tremendous to the town". *Dict. Nat. Biog.*

[68] B. T. J., LIII. 63.

[69] *Ibid.*, XXVI. 223.

[70] *Ibid.*, XXXVII. 83.

[71] *Ibid.*, L. 67.

[72] *Ibid.*, LIII. 63.

[73] *Ibid.*, LXI. 153.

[74] *Ibid.*, LXVI. 238.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

till 1776[75] and thus completing thirty-five years of uninterrupted service. Though he did not bequeath his office to his descendants as Popple had done, two of his family, George[76] and John Lillington Pownall,[77] held clerkships. Besides these two conspicuous families there are a number of other persons on the office staff, whose similarity of names makes one stop and wonder how these people were related and how they came by their posts.[78] A few of the Board's employees seem to have been old and infirm at the time of appointment, and at least three were retired on a salary after from four to six years' service.[79] On the other hand, many spent years and even a lifetime in the Board's employ. A dozen men served twenty-five years or more—some of them much more—and one of them, Samuel Gellebrand, first as clerk and later as deputy secretary, gave fifty years of his life to the Board of Trade.[80]

Employment in the Colonial Office must have served as a good training for other posts in the government service—unless indeed it was simply a stepping-stone to further patronage. Whatever the explanation, several of the Board's servants were chosen for work in allied fields. We have already seen that Alured and William Popple were called away from the Board's service, in 1737 and 1745 respectively, to become governors of Bermuda. In 1711 Bryan Wheelock, then only a clerk, accompanied Sir John Copley on a mission to Italy,[81] and in 1717 another clerk, William Hoskins, was chosen by John Chetwynd, himself a member of the Board, to attend him on a similar mission to Spain.[82] In 1761 John Pownall the secretary left his work to go to Ireland with Lord Halifax[83] who was then Lord Lieutenant. In 1765 Silvester, the clerk of reports, gave up his position because he had been appointed agent "to the intended new government in Africa".[84] Again on May 7, 1776, Ambrose Serle, the clerk of reports, was given leave of absence without pay to become under-secretary to the "Commission which Lord Howe

[75] *Ibid.*, LXXXIV. 6.

[76] *Ibid.*, LXXX. 192; LXXXIII. 47.

[77] *Ibid.*, LXXVIII. 15; LXXX. 192.

[78] There were three Series, two Hills, two Wrights, two Griffins, two Sedgwicks, and two Grays.

[79] Maurice Carrol, 1708–1714, and Daniel Cuchow and Robert Green, 1760–1764, all clerks.

[80] B. T. J., XX. 22; LXVI. 149.

[81] *Ibid.*, XXIII. 79.

[82] *Ibid.*, XXVI. 276. Chetwynd was envoy extraordinary and plenipotentiary to Madrid. *Ibid.*, p. 250.

[83] B. T. J., LXIX. 300.

[84] *Ibid.*, LXXII. 154. This was Senegambia. A plan to establish a government there was discussed at intervals in the first half of 1765, and by August the agents of the government were negotiating with the Board.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

took to America".[85] Also Richard Cumberland, the Board's last secretary, was sent secretly in 1781 to help negotiate a Spanish treaty.[86]

These specific instances serve to illustrate the close relation between the Board of Trade and Plantations on the one hand, and the great world of colonies and trade on the other. Indeed unless their position was purely a sinecure as some have maintained, the men in this office must have had an excellent opportunity to become familiar with colonial questions. This was especially true of the secretary who figures as a very considerable personage.[87] He seems never to have had a vacation. He and at least some of his clerks were always at their posts to receive communications and prepare business for the meetings of the Board. He opened the Board's letters;[88] he transacted routine business, such as transmitting accounts to the Treasury, without waiting for orders;[89] he interviewed petitioners and visitors of all sorts, afterwards reporting their visits; he received innumerable communications in his own name and answered many of them, submitting his answer, however, for the Board's approval; he had the custody of all papers and the supervision of all clerks. If Mr. Penn postponed his attendance on the discussion of the Pennsylvania boundary, it was the secretary that received and reported the message. If the Board wished to interview certain men, it was the secretary who found out in some way that they were or were not in town. If the Lords of the Treasury or the Commissioners of Customs sent a message, it was usually delivered in the morning before the Commissioners of Trade had arrived, but the secretary was always there to receive it. He abstracted lengthy

[85] B. T. J., LXXXIV. 78. Serle is classified as a "Calvinist writer". He was the author of the *Christian Remembrancer, Christian Husbandry, The Church of God*, and other works. From 1776 to 1778 he accompanied the British army to America and during part of that time had control of the press in New York. *Dict. Nat. Biog.*

[86] B. T. J., LXXXIX. 260. Cumberland was a dramatist, beginning his literary career at an early age. According to the article in the *Dictionary of National Biography*, he owed his preferment to the favor of Lord Halifax. According to that article, the latter made him "*his private Secretary in the Board of Trade*" and as the office was "nearly a sinecure" he "amused himself by studying history and composing an epic poem". The Journal contains no record of his being a clerk in the office before his appointment as clerk of reports in 1765, and Halifax had not been a member of the Board since 1761.

[87] His influence with the Board may be shown by an illustration. On December 17, 1746, the Board adjourned till January 11 following. On December 23, the secretary called a meeting to receive a petition from the Bristol merchants against the edict of the French king. B. T. J., XLVI. 189.

[88] B. T. J., IX. 309.

[89] The president of the Board also, at times, transacted business alone during a recess. For an illustration of this see Westmoreland's action, February 20, 1728. B. T. J., XXXVIII. 43.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

documents for the Board's convenience; procured books and papers for its use; summoned men to appear at its session; investigated various commercial projects; kept himself informed about the sailing of ships and other matters of interest. In fact everything that was done or said was passed in some way through the hands of this ever present secretary. Every detail from the misdemeanor of a clerk or the need of having a wall of the office whitewashed, to important matters of policy, was brought to the notice of the Board by this same official. It is a temptation to feel that the secretary of the Board of Trade must have been a really learned man on the subject of the colonies, or else the most mechanical worker in the kingdom.

It has been seen that the Board's establishment became constantly larger, and it naturally follows that it became also more expensive. The salaries of employees amounted to something like £800 in the earlier years and by the end of the period had reached £2000. But this was only one source of expense. The Commissioners themselves were drawing a salary of £1000 each.[90] Besides this there was the cost of housing, light, heat, materials, and postage. For the whole they were dependent on the Treasury. Curiously enough, no systematic arrangement was made at first to furnish the Board with funds. George Stepney reported, December 31, 1697, that he had paid for the new commission in which his name was inserted, to the amount of £70, out of his own pocket, and asked to be reimbursed from the Treasury.[91] In the following April some of the employees were believed to be in actual want, their salaries being one year in arrears.[92] In February a novel arrangement was resorted to. The secretary received from the Treasury £150 in Malt Lottery tickets of £10 each, and was ordered to "sell these as best he can".[93] In May one Mr. Berry presented a bill for maps, and the secretary was ordered to give him a malt ticket and the rest in money; but the secretary being entirely out of the latter, was sent out into the city to dispose of more tickets.[94] Indeed the malt tickets continued to be

[90] The Journal contains no statement of the amount of salary received by the Lords of Trade. From the Treasury Papers we know that in 1730 it was £1000 each, and it is not at all likely that this would decrease. Moreover, Edmund Burke declared in 1780 that the salary was £1000. On the other hand, Edward Gibbon wrote, "I was appointed one of the Lords Commissioners of Trade and Plantations and my private income was enlarged by a clear addition of between £700 and £800 a year". *Memoirs of Edward Gibbon* (ed. Henry Morley), p. 276. See *Calendar of Treasury Books and Papers*, 1729–1730, p. 407, and *Works of Edmund Burke*, II. 109.

[91] B. T. J., X. 386.

[92] *Ibid.*, XI. 17.

[93] *Ibid.*, X. 424.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the chief source of supply throughout the year. Even when they were gone, the Board received a somewhat precarious support at the hands of the Treasury,[95] the salaries being frequently in arrears.[96]

It gradually became the custom to send to the Treasury every quarter—at Lady Day, Midsummer, Michaelmas, and Christmas—an itemized account which, besides the clerks' salaries, included the secretary's account for incidentals, the stationer's bill, and a bill for postage. To this was added once a year a bill for "wood and coals" or "wood, coals and candles".[97] The bills were prepared and presented by the secretary and were frequently gone over, article by article, and signed by the Board before being sent to the Treasury. The amounts varied greatly from year to year. In 1708 this quarterly bill, apart from salaries, was £506 1*d*., of which £266 11*s*. 2*d*. were for postage. In the reign of George I., the bills were ranging between £400 and £900 and by 1730 had reached £1200. For some years accounts were not kept in detail. By 1763 the cost of maintaining the office had grown to £2098 4*s*., and this too, in spite of the fact that since 1746 all correspondence of the Board had been sent free of postage.

For years postage was a real burden. As early as October, 1696, William Blathwayt, in delivering a package of letters from the plantations, said that if free postage was not allowed as for the late Committee of Trade and Plantations the charge would soon amount to £500 per annum.[98] This estimate was somewhat exaggerated and produced no result. The Board asked for free postage in 1697,[99] but it was not granted, and bills from the Post-Office were frequently received[100] in spite of the fact that the quarterly estimate of expense always included an account with the postmaster. The charges on one box of papers from America, in the summer of 1746,

[94] B. T. J., XI. 55.

[95] Though a part of the government, the Board appears in some respects more like a private organization. Thus it paid for its own commission—evidently a fee for passing the commission under the seal. It paid for statutes, copies of bills before the House of Commons, etc. Judging from the Journal, each branch of the government paid every other branch for service done as though all had not been parts of one great whole.

[96] B. T. J., XXIII. 316; XXXIII. 128; XXXIV. 20; XXXV. 191. In 1769 the Board was in debt. B. T. J., LXXVII. 1.

[97] Besides the bills presented by the Board, the Treasury paid a good many fees presented individually. The attorney-general and solicitor-general before 1718, and after that the counsel-at-law, were paid for each attendance. So also were clerks of the Council and various servants and messengers. After the appointment of the counsel-at-law the Treasury decided that the attorney's and solicitor's fees should be taken out of the incidental expenses. B. T. J., XXX. 326. *Treas. Papers*, 1728–1730, p. 114.

[98] B. T. J., IX. 192.

[99] *Ibid.*, X. 127.

[100] *E. g.*, *ibid.*, XIII. 244; XXXIX. 28, 240.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was "upwards of £30".[101] To this the Lords of Trade objected, and it was probably as a result of their complaint that the king[102] in November issued a warrant to the Postmaster General[103] freeing from postage all letters of the Board of Trade. In 1764 an act of Parliament was passed to "prevent frauds and abuses in the sending and receiving of letters and packets free of postage".[104] By this act the officers and departments that were exempted from postage, including the Board of Trade and Plantations, were required to authorize two persons each in their respective offices to endorse letters. The Board of Trade appointed for this duty Richard Rogers the deputy secretary and Silas Bradbury the clerk of reports, and decided on a form of endorsement as follows:[105]

Office of Trade and Plantations.	On His Majesty's Service R^d^ Rogers to Mr. Thos. Styles at Portsmouth.

All letters and packages authorized by the Board were supposed to be superscribed according to this model.[106]

The importance of postage as an item of expense is not so surprising when one considers the large amount of written matter which found its way to the Board by post, and this is only part of the immense mass of manuscript material preserved in the office. When Burke made his celebrated attack on the Board he ridiculed its 2300 volumes of reports[107] and very likely this was not exaggerated. The Journal alone from 1675 to 1782 comprises ninety large volumes.[108] Perhaps a brief description of the Board's system of book-keeping will throw some light on its methods. The transactions of each meeting were reported, supposedly in full, in the Journal, the account containing the date and place of meeting, the names of those

[101] *Ibid.*, LIV. 71.

[102] *Ibid.*, p. 85.

[103] In October, 1755, the Postmaster General wrote to the Board that he had provided vessels for regular monthly correspondence with the colonies. B. T. J., LXIII. 303.

[104] 4 Geo. III., c. 24.

[105] B. T. J., LXXII. 182.

[106] There was at a later date some controversy as to whether or not the Lords of Trade were individually entitled to exemption under this act. B. T. J., LXXXVIII. 179.

[107] *Parl. Hist.*, XXI. 235.

[108] I have seen only the manuscript copies in the Historical Society of Pennsylvania. I understand that they are an exact reproduction of the original, not only in subject-matter but in paging, division of volumes, etc.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

present, and usually a detailed report of all that took place. The last is, for the most part, naïve and straightforward and makes the reader feel that he has almost been present and watched the Board at its work. A vast army of men and women throughout these eighty-six years appeared at the Plantation Office and either made complaints or furnished information on some phase of the colonies or trade. Such complaints and information, when given orally as they frequently were, were reported in the Journal, often in the minutest detail, and plentifully sprinkled with quotations from the speaker's own words. In this way, not only the general heads of colonial business, but also in great measure the personality of the visitors, is preserved for the student. There were times when many details were omitted, owing no doubt to neglect. Especially at times between 1730 and 1740 it was not uncommon to make a more perfunctory and less picturesque account of the day's proceedings, but in the main, description is full. To the secretary, with the help of the clerks, was entrusted the compilation of reports and it was necessary to impose some check on them. To this end it was decided on December 20, 1714, that henceforth the minutes of each meeting should be read at the next meeting, and before being entered in the Journal should be signed by the commissioner highest in rank who should be present at the reading and had also been present when the business was transacted.[109] This rule was re-enacted from time to time,[110] and was for the most part adhered to, to the end of the Board's career.

But the Journal was, as we have seen, only a small part of the Board of Trade papers. To this must be added innumerable documents in the form of petitions, complaints, depositions, letters, narratives, etc., which in one way or another were introduced into the office, besides the bulky colonial correspondence which[111] was kept up more or less regularly throughout the entire history of the Board. All this material from whatever source was filed away in sections arranged according to subject. There was a bundle—or collection of bundles—for each colony; one marked "Proprieties" dealing with matters peculiar to proprietary governments; one called "Plantations General" having to do with matters of general colonial concern; a bundle on Trade, doubtless with subdivisions; and a miscellaneous one which included, among other things, all papers referring to the internal affairs of the Board itself. When one considers

[109] B. T. J., XXIV. 341.

[110] *E. g., ibid.*, XXXVII. 183; LVI. 100.

[111] This was at times in duplicate, the originals being sent to the Secretary of State.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that the series "Plantations General"[112] alone occupies thirty-one large folio volumes, and "Proprieties"[113] twenty-four of the same sort, it is possible to imagine the extent of the whole collection. The Board's method of book-keeping, at its best, involved marginal notes. In the margin, opposite each reference to papers, was an abbreviated word, indicating the department in which such papers had been filed. Besides this there was, during part of the period, an exact citation to the series, bundle, and number of paper within the bundle. As time went on the clerks became more careless about this and at times it was omitted altogether. Some papers referred to more than one colony and of these duplicates might be made by the clerks, and a copy filed in each of several bundles. This is not the only case of duplication. In December, 1699, a fire in the Cockpit caused some fear that the disaster of the previous year might be repeated. Fearing the destruction of the records the Board thought seriously of having them all transcribed in order to keep duplicates in a separate place, and ordered a "competent number of sacks" for carrying them away.[113] The only evidence of such duplication is found in certain entry books in a series called Trade Papers.[114] Perhaps want of funds defeated the project. In a few isolated cases the Journal, for no apparent reason, contains two copies of the same minutes.[115]

The Board of Trade not only accumulated papers of its own, but started life with a considerable stock-in-trade bequeathed from previous councils, commissions, and committees of like purpose. The continuous Journal for some reason begins, not with the forming of the Board in 1696, but with the appointment of the committee of Privy Council which took the place of the disestablished Council of Trade and Plantations in 1675. Before that time the records were somewhat fragmentary. In July, 1696, the books and papers of the Plantation Office which were in the hands of Povey, a clerk of the Privy Council, were, by an order of Council, turned over to William Popple, the secretary of the new Board.[116] Blathwayt presented further papers in 1703.[117] In 1707 an effort was made to

[112] According to the Pennsylvania transcript.

[113] B. T. J., XII. 302.

[114] On authority of Dr. C. M. Andrews.

[115] Thus at the beginning of volume XXIX. there are a few pages that duplicate others at the end of volume XXVIII., and cover the minutes of July 21, 22, 24, 28, 29, 30, and August 4, 5, 1719. December 18, 1735, and February 4 to April 18, 1777, are duplicated, and December 30, 1777, duplicated and enlarged.

[116] B. T. J., IX. 33.

[117] *Ibid.*, XVI. 137. Blathwayt also had been a clerk of the Privy Council but was now a member of the Board of Trade, having been named in the first commission in 1696.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

purchase colonial papers that had been preserved in private hands, but this seems to have failed.[118]

Besides official documents, a large amount of printed and illustrative material was acquired by purchase and otherwise. A few illustrations will suffice. In March, 1697, "on suggestion that some of the public printed newspapers sometimes contain matters of fact that may be useful to be known for the service of this commission", it was ordered that one of each be taken.[119] In July, 1738, a copy of Rymer's *Foedera* was bought for the office.[120] In 1734 Henry Popple, the secretary's brother, having published a set of maps of the British Empire, a subscription was made for the Board, and one also for each governor in America.[121] Many maps both published and unpublished were received by gift and purchase. Indeed the collection of books and maps which graced the shelves of the Lords of Trade must have been a considerable one and one also which would be of great interest to-day. These books were not only used by the Board itself but were to a certain extent given circulation. It was common for books and maps to be lent to outsiders, a receipt being taken by the secretary[122] and a description of the missing article sometimes tacked up in the office.[123]

It does not appear that the Board followed any set rule of procedure, but in the general character of its routine and methods of business there is sufficient uniformity to admit of a fairly accurate description. After a new commission had been received internal affairs of the Board were always considered first. The commission was formally read and the new members, if in town, "took their places at the Board". If not in town at that time a new member

[118] In May, 1698, the Board, hearing that Mr. Henry Crisp had books of entry and papers of the Council of Trade of 1662–1663, ordered the secretary to ask him to bring them to the Board. On May 10 he answered that he had never seen any papers of the Council of Trade of 1662, but had heard that some such papers, in the hands of his father-in-law, Mr. Duke, who was secretary of that Council, were burnt in the Temple. He promised to find out about this and also to bring papers of the Royal Fishery of that time of which Duke was secretary. B. T. J., XI. 48, 53. He seems not to have come back, but in June, 1707, the Board received a letter from one Crisp, whom I take to be the same man, offering to sell books and minutes of the Council of Trade, 1660–1668. The Board refused to buy the books without seeing them and there was no result. *Ibid.*, XIX. 284, 296.

[119] B. T. J., X. 20.

[120] *Ibid.*, XLVIII. 73.

[121] *Ibid.*, XLIII. 161; XLIV. 174. *Cal. of Treas. Books and Papers*, 1731–1734, pp. 419, 576.

[122] *E. g., ibid.*, XXIII. 257.

[123] *Ibid.*, LXXXVIII. 29. The Board not only lent but also borrowed. In September, 1697, it was determined to ask Mr. William Bird of Lincoln's Inn for the use of his complete set of Virginia laws. *Ibid.*, X. 261.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

would be formally admitted later and his admission noted in the minutes. After the reading of the minutes, rules were frequently adopted similar to those already considered in connection with the clerks, new clerks were appointed if necessary, and in fact anything might be presented and discussed which had to do with the office itself.[124] Whatever time was left at this session was devoted to the question of colonies or trade that happened to be most pressing. On ordinary days such matters were taken up at the outset. If a petition had been received from merchants or colonists, it was presented by the secretary and considered by the Board. In most cases the Commissioners would not feel prepared to decide on such a petition without further information. They would, therefore, set a day for the discussion and order the secretary to summon persons to be present at the hearing. The subject might be suggested orally instead of by written petition. A large number of matters that came up for discussion were introduced in this way: "the Secretary acquainted the Board" that a certain man was without and wished to be heard. He was called in to state his case, and his information, be it trivial or important, was recorded in the minutes. He was then instructed to "put what he had to offer in writing". Perhaps a day was set for the further consideration of his demands, at which time he not only brought in a written statement, but most likely brought with him several other men to corroborate his assertions. A "hearing", whether the result of a written petition or an oral request, was often a lengthy affair, and involved the testimony of various persons.

If a letter was received from a colonial governor,[125] together with the voluminous enclosures which always accompanied such letters, this too was presented by the secretary and read. The enclosed papers also might be read through, which in some cases must have been a heroic proceeding. In any case they were disposed of in the proper bundles, and usually a list of titles or descriptions preserved in the minutes. If the papers included copies of laws—and nearly every packet did include some—these were dispatched to the attorney-general or solicitor-general or, after 1718, to the Board's special

[124] Even the most trivial matters were brought to the attention of the Board. Thus at one time the "necessary woman" presented a bill of £10 for "mops and brooms" which the Board considered too high. B. T. J., XI. 393.

[125] Such letters, as well as petitions and other papers, might as a rule either be sent directly to the Board by post, or be sent first to the Privy Council or Secretary of State, and transmitted to the Board for consideration. The procedure within the Board itself, *i. e.*, the presentation by the secretary, etc., was the same in either case.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

counsellor, to be reported upon from a legal point of view.[126] In the later years when laws came in great numbers the counsel-at-law frequently attended the Board, and a whole session—or more than one—was given to a single set of acts, each being carefully read and passed upon.[127] In either case, when the legal report was made, which was sometimes done promptly and at other times after a very long delay,[128] the Board prepared a representation to the King in Council incorporating the legal advice, and sent it with the laws themselves for the final action of the king. After consideration in the Council, which usually[129] resulted in confirming the Board's judgment, the laws were returned to the Board with an Order in Council approving or disallowing them as the case might be. This decision was reported to the colonial assembly by the Board of Trade.

When a new governor was appointed for a colony directly under the crown, his commission and instructions were prepared by the Board and approved by the king. In the case of a proprietary governor, the commission was issued by the proprietor, but the instructions were prepared by the Board and imposed through the proprietor on his appointee.

Whatever the business in hand every document[130] went through three stages. First, the subject was considered and the substance

[126] Legal advisers were not the only ones consulted. Questions were frequently submitted to the Lords of the Treasury, Lords of the Admiralty, Navy Board, Board of Ordnance, Commissioners of Customs, and other parts of the government on matters pertaining to these respective offices. Messages were constantly being sent back and forth. Indeed the administration was a perfect network of separate but related authorities.

[127] For an illustration of this see B. T. J., XLV. 94. Comments were written after each law—"no objection", "to lie over", etc.

[128] Thus on June 22, 1699, the secretary reported that the clerk of the solicitor-general had brought to the Board certain acts of Massachusetts, passed before the establishment of this office, with no report on them. They were ordered sent back to the solicitor for his opinion. B. T. J., XI. 102. The Board also was sometimes responsible for delays. On November 29, 1728, they discussed a New Jersey act for a partition line, etc., and "considering that it had lain by above nine years in this office and no objection had been offered" they ordered a representation for confirming the act. B. T. J., XXXVIII. 265.

[129] Of course the Board's decisions might be reversed or modified, or a law or report might be returned for reconsideration. I believe, however, that if the total number of laws considered could be brought together, it would be found that in a large majority of cases the Board's decision was affirmed.

[130] At first there seems to be a distinction between a report and a representation. The latter was the more formal paper addressed to the King in Council, while a report was less formal and was addressed to the Committee of Council. As time went on and the committee came to act in place of the Council, the two words were used more or less interchangeably. Thus on June 29, 1731, the Board signed what in the text is called a representation, but in the margin, a report. B. T. J., XLI. 169. Communications to the Secretary of State were usually called letters.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the letter or report agreed upon—a process which was sometimes adjourned from day to day and occupied the greater part of several sessions. At last the Board ordered the letter, outlining to the secretary the points which it was to involve. The actual composition fell to the secretary who presented a first draught to the Commissioners for inspection. If satisfactory it was "approved and ordered to be transcribed". It was then delivered to a clerk to be put into final form, and having been "transcribed fair" was presented to the Board again for signature. Two classes of papers constituted exceptions to this rule: many of the less important letters having been ordered and approved by the Board, were signed by the secretary[131] and sent off without waiting for another meeting; and commissions and instructions for colonial officers, having been transcribed, were sent to the king for his signature.[132] In many cases a number of days might elapse between the stages of this process, while if there was need of haste they might all be performed in one day.[133]

Many questions of dispute were argued pro and con, before the Board; and on such occasions both parties attended with "Counsel learned in the law". The hearing which ensued sometimes lasted for days and had the semblance of a trial, with testimony and legal battles over technicalities which would do credit to a modern court.[134] In cases of appeal the Board itself had no jurisdiction. When once a decision had been rendered in the colonies, there was no appeal except to the king. The Board however could give such a case a preliminary hearing when asked to do so by a reference from the King in Council.[135]

[131] Or the deputy secretary might sign letters in rare cases. See a letter from Samuel Gellibrand, deputy secretary, to John Hamilton, August 23, 1743. *N. J. Archives*, VI. 153.

[132] The Board might prepare other papers for the king's signature. Thus in March, 1700, the Board was ordered by the Council to prepare the draught of an Order of Council, whereby the king could approve an agreement between New York and Connecticut over the boundary. B. T. J., XII. 410.

[133] This preparing of reports was not the only duty that occupied the clerks in their outer room. Many papers from the colonies were copied and duplicates sent to the Secretary of State, Lords of the Treasury, Commissioners of Customs, and others. Then, too, when a petition was being heard before the Privy Council, the petitioner would frequently ask the Board for copies of papers in its possession bearing on his case, and the request was often granted. It was in such cases as this that the clerks were entitled to fees for extra work.

[134] On February 9, 1720, the solicitor-general gave an opinion that the Board had power to administer the oath to witnesses. B. T. J., XXX. 80–83. It might be noted also, that the Board seems to have had a seal. On June 9, 1720, this was considered. His Majesty's engraver had presented a plan, and this had been sent to Sunderland, then first Lord of the Treasury, who "thought it very proper", and then to the king who ordered it engraved. *Ibid.*, p. 191.

[135] B. T. J., XXXII. 167.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Board's methods might involve a division of labor. Thus in 1697, considering that it was impossible for all the "voluminous papers sent from the Plantations" to be read at the meetings, it was decided to divide up the field. Philip Meadows was to give special attention to Virginia and Maryland; William Blathwayt, and in his absence, John Locke, was to look after Jamaica, Barbados, and the Leeward Islands; to Abraham Hill fell New England, New York, and Newfoundland; while John Pollexfen was expected to care for the Proprieties, the charter colonies, and trade in general.[136] All papers relating to these subjects were to be read by the persons to whom they were assigned and the important parts extracted for consideration by the Board. This was simply a refinement of the process of extraction, since that was one duty that the Board performed for the Privy Council. The plan, however, was short-lived. Another method sometimes resorted to was that of having each member draw up an independent report on some subject, and compiling a representation from a comparison of these separate plans. This was done in 1697 in connection with the English and Irish trade, and John Locke's scheme being "pitched upon" was considered in detail.[137]

Though the work of the Board was, as a rule, performed by the seven or eight members appointed by name, these never forgot that an equal number of high state officers belonged in theory to their institution. When a new Secretary of State was appointed, or a Chancellor of the Exchequer, or any other officer included in the Board's list, a letter was at once dispatched to inform him that he was "a member of this Commission".[138] When a matter of special importance was to be dealt with the ex-officio members were summoned by letter.[139] They seldom stayed to the end of the meeting. If Secretary Vernon, for instance, and several others came down to the Board, as soon as the important subject was disposed of they withdrew, whereupon the Board ordered a letter to Secretary Vernon, informing him, as Secretary of State, of what had been done at the Board of Trade. These meetings of "extraordinary Board" were usually held at night. Moreover the Commissioners of Trade might be summoned to a joint meeting with the Privy Council or

[136] The Earls of Bridgewater and Tankerville seem to have escaped this by their titles. John Methuen, the eighth member, was in Portugal and did not return while his name was included in the Commission of Trade. He never took his place at the Board. B. T. J., IX. 348. *Hist. MSS. Comm., Portland,* III. 576.

[137] B. T. J., X. 207, 214.

[138] *E. g., ibid.,* XIII. 288.

[139] *Ibid.,* X. 424; XXIV. 16.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

with a committee of Council.[140] At the close of such a conference, they adjourned to their own room and continued the session alone, perhaps to put into effect the decisions of the joint meeting, but always to take some account of them in their minutes. On the other hand the conference might take place at the Plantation Office. At one time a meeting of "Cabinet Council"[141] was held at the Board, and again word was received that the Committee of Council had "appointed a meeting at this Board tomorrow".[142]

Under peculiar conditions the Board might devote its sessions to a special purpose. Thus after the treaty of Utrecht many days were given up wholly or in part to the examining of debentures and delivering them to claimants of land in Nevis and St. Christopher. As many as fifty debentures were sometimes delivered in one day, and this must have brought a constant stream of ill-assorted visitors. In 1749–1750, when the settlement of Halifax was being arranged for, the Board of Trade appeared at times more like a business office than a department of government.[143] Chauncey Townshend, a merchant who took the contract to furnish provisions, was in almost constant attendance. To the Board came men who wanted to furnish clothing, medicines, ploughs, and other commodities for the settlers. It was the Board that appointed physicians and surgeons, ministers and schoolmasters, the man authorized to erect saw-mills, and so on, through the almost endless detail. Here arrangements were made for transportation and the proper ventilation of ships. Here, too, came every settler that wished to sail, giving an account of his circumstances and the size of his family, and receiving from the clerk of reports a certificate admitting him on ship-board. It must have been a motley crowd indeed, which in those days thronged the Cockpit, in answer to the Board's advertisement of advantages published in the *London Gazette*.

Through its supervision over trade the Board came into close touch with the seafaring man from everywhere: the merchant from India, Africa, Muscovy or the Levant, the Newfoundland fisherman, the West Indian slave-trader, the dealer in Canary wines or Irish linen or American staves, all came to the Board to tell their stories. Not only did the Lords of Trade solicit information from the merchants, but the merchants solicited attention from them. If a man

[140] *E. g., ibid.*, XIV. 446; XV. 104; XVII. 8; XXXIX. 263; XLI. 287; LIX. 74, etc. On July 1, 1702, the Board received a letter from Mr. War, with the queen's will that the Board attend her at committee at St. James, to-morrow at 11. *Ibid.*, XV. 115.

[141] B. T. J., XI. 68.

[142] *Ibid.*, XXII. 417.

[143] *Ibid.*, LVII., LVIII., *passim*.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wanted a patent for an invention, or protection for an industry, he had to produce some proof that he was able to make use of it. To the Board of Trade came not only his testimonials—and they came in great numbers—but also his demonstrations. For example, in August, 1696, during a discussion of the linen trade, Mr. Furmin displayed the model of a spinning-wheel of his own invention which could be manipulated "by a girl of ten".[144] Various were the bundles of merchandise that found their way into the Colonial Office. A box of clothing, sent to New York for the soldiers during Lord Cornbury's administration, and returned as unfit for use, was brought to the Board and publicly opened.[145] Samples of wool were now and then received, and specimens of copper. Thomas Lowndes was fond of sending certificates of the goodness of his salt,[146] accompanied by boxes of it by way of illustration.[147] John Plowman, who asked for a patent for curing sturgeon in 1720, produced a box of fish at the Board to show the merit of his method.[148]

Not only were boxes of merchandise sent to the Board, but the living curiosities that came to town were looked upon as belonging to its province. Thus in 1697 when five Mohawk Indians were brought to Plymouth among French prisoners, the Board was closely concerned in their care. Two of them made a visit to London for the purpose of sight-seeing and these were presented to the Board of Trade.[149] In 1730 an African trader, Bulfinch Lamb, and his black interpreter, Captain Tom, attended the Board and presented a letter from the Emperor of Dahomey.[150]

Perhaps the most picturesque scene that ever took place in the council chamber of the Board of Trade was the consummation of a

[144] B. T. J., IX. 51.

[145] *Ibid.*, XVI. 131.

[146] *E. g., ibid.*, LIII. 118.

[147] *Ibid.*, LI., pt. 2, p. 46. Thomas Lowndes is a curious illustration of the sort of peculiar personality with which the Board had at times to deal. He was constantly appearing with a proposal, a request, or a complaint. In 1734 he objected to a land-grant in South Carolina, claiming that he had a conflicting grant. He emphasized this claim by making personal charges against Popple in a stilted paper called "Thomas Lowndes' protest against the Lords Com^rs^ declared Prepossession in favor of their Secretary". It is amusing to note the seriousness with which the Board considered this paper and resolved "to have no further correspondence with the said Lowndes". A few months later he wrote again at length, asserting that Popple had helped to cheat him out of £60. He said that if he did not abhor "disserving his country" he could show a "neighboring nation how to deprive Great Britain of a valuable branch of trade without infringing any treaty". This epistle was honored with a set of five resolutions by the Board. *Ibid.*, XLIV., *passim*.

[148] B. T. Plant. Gen., L. 5.

[149] B. T. J., X. 66.

[150] *Ibid.*, XLI. 117. *Cal. of Treas. Books and Papers*, 1731–1734, p. 88.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

treaty with seven chiefs of the Cherokee Nation in September, 1730.[151] On the seventh, the chiefs and their interpreter attended, together with Colonel Johnson, the agent for Indian affairs, and Sir William Keith, governor of South Carolina. The members of the Board present that day were Thomas Pelham, Martin Bladen, and James Brudenell. They had taken care to have Sir William Keith prepare beforehand the form of a treaty with its imagery and phraseology modelled after Indian ideals. They had also asked for and obtained from the War Office the attendance of two sergeants and twelve grenadiers. When all were assembled one member of the Board, by means of an interpreter, read to the Indians the treaty, which was in part as follows:

> Now the great King of Great Britain bearing love in his heart to the powerful and great nation of the Cherokee Indians, his good friends and allies, His Majesty has empowered us to treat with you here, as if the whole nation of the Cherokees, their old men, young men, wives and children, were all present. And you are to understand the words we speak as the words of the great king, our master, whom you have seen, and we shall understand the words you speak to us as the words of all your people with open and true hearts to the great king. . . . He takes it kindly that the great nation of the Cherokees sent you hither a great way to brighten the chain of friendship between him and them and between your people and his people; that the chain of friendship between him and the Cherokee Indians is like the sun which shines here and also upon the great mountains where they live and equally warms the heart of the Indians and of the English. That as there are no spots or Blackness on the sun, so is there not any Rust or Foulness in this chain and as the great King has fastened one end of it to his own breast he desires you will carry the other end of the chain and fasten it well to the breasts of your nation. . . . And here upon we give four pieces of white cloth to be dyed blue.

The next article regulated trade between the Indians and the people of Carolina. The following articles stipulated, among other things, that the Indians were to keep peace with the English and make war on their enemies, that they were to refuse to trade with any other nation and were to return fugitive slaves. At the end of each article presents were given, including large quantities of ammunition and "six dozen hatchets, twelve dozen spring-knives, four dozen brass kettles and ten dozen belts". Samples of all these articles were stowed away somewhere in the office and were shown to the Indians at the close of the interview. They expressed their approval and promised to give an answer in two days.

The second conference, on the ninth, must have been as imposing as the first. The soldiers attended as before. The Commissioners of Trade, who, this time were Bladen, Brudenell, and Paul Docininique, found themselves addressed as follows:

[151] B. T. J., XL. 226–237.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

> We are come hither from a dark, mountainous place, where nothing but darkness is to be found, but are now in a place where there is light. . . . We look upon you as if the great King George was present, and we love you as representing the great King, and shall die in the same way of thinking. . . . We look upon the great King George as the Sun and as our Father and upon ourselves as his Children, for though we are red and you white, yet our hands and hearts are joined together.

Having finished this speech the spokesman of the Cherokees walked to the table, and, laying down upon it a bunch of feathers as a symbol of his good-will said:

> This is our way of talking, which is the same to us as your letters in the Book are to you; and to you, Beloved Men, we deliver these feathers in token of all we have said and of our agreement to your article.

This incident not only adds a touch of color to the picture, but also illustrates fairly well one phase of the Board's position. A treaty of peace with the Cherokee Nation might vitally affect the happiness and welfare of the colony of Carolina, and was therefore by no means beneath the dignity of the government. But the Privy Council could hardly be expected to exchange scalping-knives for feathers or pronounce a speech like the one above, in Indian terms. Such a duty must be delegated to a subordinate authority, and that authority was the Board of Trade. Indeed the treaty-making power of the Board is here displayed at a low ebb, for it had a part in negotiations of much greater importance. The point to be noted here is that the Board of Trade stood between the King in Council on the one hand, and the outlying portions of the empire on the other. As a result of this position it could, and did many times, give advice and submit policies, but at all times it furnished information. That such information was needed there can be no doubt. In those days reliable knowledge of remote corners of the earth was not easily accessible as it is to-day. Travel was slow. Modern methods of communication were not invented and printed material was expensive and scarce. There was considerable ignorance, even in government circles, about the British possessions. For example, the Commissioners of Customs asked the Board at one time if Campeche was an English plantation[152] and at another time if Annamabore was a "colony, territory or place belonging to His Majesty".[153] Such questions the Board was expected to answer.

By close connection with colonists and merchants the Board kept its finger, so to speak, on the colonial and commercial pulse, and helped to diagnose disorders for treatment by a higher power. That

[152] B. T. J., XXXVIII. 37.
[153] *Ibid.*, LXXXIII. 47.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the touch was always acute or the diagnosis always correct, no one can claim. That the contact was of much value can hardly be denied. Dropping the figure, the Board of Trade and Plantations was the one place at which all elements of the ever-growing British Empire could come together on common ground. Here came the British merchant from any corner of the globe to describe his trade or display his wares. Here came the wealthy proprietor to defend his boundaries or the lowliest colonist to settle his dispute; the Indian chief to make peace, or the foreign settler to arrange for his emigration. To this same place all papers regarding the colonies were likely in the end to find their way—books, maps, descriptions, primitive newspapers, pamphlets, anonymous letters, anything that could add a touch to the Englishman's knowledge of the New World across the sea. Here too could come or send, the Commissioners of Customs or of the Treasury, the Navy Board, or Lords of the Admiralty, to gather such information as the Board had been able to collect. Surely nothing could be more useful in theory than just such an information bureau as the Board of Trade. But it is difficult to look constantly at such masses of minute detail and still see things in the large. The Board had the power of a subcommittee coupled with the outward form of a Council of State; perhaps it is not surprising that while the colonies were growing into prominence and colonial questions were becoming acute, it was losing its grasp and was settling down into a more and more formal and expensive institution.

MARY PATTERSON CLARKE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PRINCE HENRY OF PRUSSIA AND THE REGENCY OF THE UNITED STATES, 1786[1]

WITH the name of General von Steuben, whose monument was unveiled with great ceremony in Washington in December, 1910, is connected the memory of a little-known episode in the constitutional history of the United States. Steuben's biographer, the German-American historian, Friedrich Kapp, makes the following statement regarding it:[2]

> When, before the adoption of the present Constitution, in a circle of his friends, the question of the form of the government was discussed and it was not yet decided whether the President was to be vested only with the authority of the highest civil officer or with the more princely privileges of the Dutch stadtholder, one of the party, addressing himself to Steuben, asked whether Prince Henry of Prussia would be willing to accept an invitation, and whether he would make a good President. Steuben answered, "As far as I know the prince he would never think of crossing the ocean to be your master. I wrote to him a good while ago what kind of fellows you are; he would not have the patience to stay three days among you."

This story of Kapp's is based upon oral communication from a certain John W. Mulligan, who, from 1790 until the death of Steuben in 1794, had been the latter's confidential secretary and companion. At the time of the appearance of Kapp's book he counted more than eighty years, but he is described by that author explicitly as an old man of remarkable freshness and as a trustworthy witness.

It is well known that throughout many years a friendly relationship existed between Prince Henry, the brother of Frederick the Great, and Steuben. The latter had served in the Seven Years' War under the prince, had fought at Prague and Rossbach, and had taken part in the campaigns of 1759 and 1760 in the army of Henry, upon whose recommendation, after the close of the war, he had become *Hofmarschall* to the Prince of Hohenzollern-Hechingen. The prince, it is true, had had no part in the decision of Steuben to go to America and offer his services to the colonies fighting for their independence. There occurred, indeed, a long pause in their mutual

[1] Article sent to the REVIEW by Dr. Richard Krauel, honorary professor in the University of Berlin, author of several books relating to Prince Henry of Prussia.

[2] Kapp, *Life of Steuben* (New York, 1859), p. 584; German edition, *Leben des Amerikanischen Generals F. W. von Steuben* (Berlin, 1858).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

relations; it was not till 1785, two years after the Peace of Paris between Great Britain and the United States, that General Steuben again addressed a letter to Prince Henry. In this, invoking their earlier acquaintance, he recommended to him an American, "le Sieur Littlepage", who was journeying to Prussia.[3] Nothing is known regarding any continuation of the correspondence. Kapp, who went through the sixteen volumes of the Steuben papers preserved by the New York Historical Society, prints only a short and formal answer of the prince to that first letter of the general. No traces are preserved of a political correspondence concerning men and affairs in America, such as one might assume from the statement of Steuben transmitted by Mulligan.

On the other hand, in the remains of Steuben, who, after the end of the War of Independence, lived for a considerable time in New York and participated ardently in the politics of the day, various memoranda are to be found concerning the rights and prerogatives of the president in a republic, as also an historical survey of the duties of the head of the state in ancient and modern times. During that critical period of American history, when on account of the inadequacy of the Articles of Confederation the creation of a better constitution, with a strong and unified executive power, actively occupied men's minds, we may easily imagine that in the political discussions between Steuben and his friends, among whom men like Alexander Hamilton were numbered, such questions were frequently treated. It appears therefore quite possible that, on some such occasion, some one or other threw out casually the suggestion of choosing Prince Henry of Prussia for the highest position in a new federal government, and that Steuben thereupon gave the jocose answer mentioned.

On this presumption we should be dealing with an anecdote, which to be sure is charactertistic of conditions and opinions in the United States at that time, but which could acquire historical significance only if it were proved that, earlier or later, actual steps were undertaken to summon Prince Henry to the head of the American government. While all evidence for this has been lacking up to a recent date, and one was entirely warranted in relegating to the realm of legend any such proposal—even as a passing incident—documents have now been published which compel us to pay greater attention to the Steuben narrative.

[3] In this letter, published by Kapp, p. 695, Steuben says: "I flatter myself that my military services in this hemisphere have made me not unworthy to claim the glory of having completed my apprenticeship under a prince who is admired not less in America than in the other parts of the world."

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In the sixth volume of the *Life and Correspondence of Rufus King* it is stated that, in a letter to General Jackson, President Monroe expressed the opinion that various persons among the Federalists in the time of Washington had been adherents of monarchy. In connection with this we find printed the following memorandum of King:[4]

> 10th May 1824. Col. Miller this evening said to me, speaking of Mr. Pr[esident] Monroe, that he had told him that Mr. Gorham, formerly President of Congress, had written a letter to Prince Henry, brother of the great Frederic, desiring him to come to the U. S. to be their king, and that the Prince had declined by informing Mr. Gorham that the Americans had shown so much determination agt. their old King, that they wd. not readily submit to a new one; Mr. Monroe adding that Genl. Armstrong had given him this information and that the papers or correspondence was in the hands of General Hull.

We learn further that in the year 1825, in the course of a debate in the Senate, a hint was dropped that Rufus King had known about the plan to establish a monarchical form of government in the United States under Prince Henry, and that the attempt was made to exploit this charge in the interest of party politics, in order to prevent the appointment of King as minister to London. The matter seemed sufficiently important to prompt President John Quincy Adams as well as the Secretary of State, Henry Clay, to further inquiries, from which, however, no evidence whatsoever was produced of any participation of King in the "Prussian scheme". In a letter to Charles King, the son of Rufus, the President expressed the expectation "that henceforth Prince Henry of Prussia will be suffered to sleep in peace", and Clay conjectured that in the whole affair there was perhaps a confusion with a plan, which came to the surface during the Revolutionary War, in the years 1777 and 1778, to offer to Prince Henry the supreme command over the American troops.[5]

Yet the assertion remained unrefuted that the noted politician, Nathaniel Gorham, who as delegate of the state of Massachusetts together with Rufus King signed the Constitution of the United States, had in the year 1786, when he was president of the Continental Congress, written a letter to Prince Henry with the contents mentioned above. While according to the statement of Steuben

[4] King, VI. 643. See also *Writings of James Monroe*, V. 343 (letter to Jackson).

[5] *Memoirs of John Quincy Adams*, VII. 55–56, 63–64; King, VI. 644, 647. According to modern investigations, no such plan ever existed. It was rather the Count de Broglie who was thought of for the position of commander-in-chief. For particulars concerning this, see Wharton, *Revolutionary Diplomatic Correspondence*, I. 391–396.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reported by Kapp, the candidacy of the Prussian prince was suggested only orally, and was put aside with a jest, one would now be driven to the conclusion that a written offer of a royal crown was made, and was declined by Henry. In view of the many considerations which militate against such an assumption, the historian was naturally inclined to hold his judgment in suspense, and wait to see whether the alleged correspondence between Gorham and the prince would be forthcoming.

Into the darkness which has accordingly been lying over this incident, a surprising light has now been shed through a discovery recently made in Germany. In the archives of the royal Prussian house (Hausarchiv) in Charlottenburg, where a part of the literary remains of Prince Henry is preserved, there has been found the autograph draft of a letter addressed by the prince to General Steuben, which refers to a proposed change in the constitution of the United States.

The text of this document, composed like all the letters of Henry in the French language, is here published for the first time:[6]

Monsieur de Stuben, général au service des États-Unis de l'Amérique. En Amérique au Hanôvre à 5 milles de New-York.

Monsieur

Votre lettre du 2 du mois 9^{bre} m'est parvenue. Je l'ai reçue avec tout le sentiment de la reconnaissance mêlée de surprise. Vos bonnes intentions sont bien dignes de mon estime, elles me paraissent l'effet d'un zèle que je voudrais reconnaître, tandis que ma surprise est une suite des nouvelles que j'apprends par la lettre d'un de vos amis. J'avoue que je ne saurais croire qu'on pût se résoudre à changer les principes du gouvernement qu'on a établi dans les États-Unis de l'Amérique, mais si la nation entière se trouverait d'accord pour en établir d'autres, et choisirait pour son modèle la constitution d'Angleterre, d'après mon jugement je dois avouer que c'est de toutes les constitutions celle qui me paraît la plus parfaite. On a l'avantage que si, comme dans tous les établissements humains, il se trouve quelquechose de défectueux, qu'on pourrait le corriger et faire de si bonnes lois pour que la balance fût mieux établie entre le souverain et les sujets, sans que ni l'un ni les autres ne pussent jamais empiéter sur les droits alloués respectivement à chacun. Il ne m'est pas possible de vous envoyer un chiffre, vous comprenez qu'il courrait les hasards des lettres et se trouverait entre les mains de ceux qui s'en saisiraient les premiers. Je vais cet automne en France, peut-être y trouverais-je un de vos amis. Les Français sont jusqu'à cette heure les vrais alliés des États-Unis de l'Amérique. Il me paraît que rien de grand pourra solidement se faire chez vous, à moins d'y faire concourir cet allié. Cela suffit, Monsieur, pour vous

[6] Prince Henry had the habit of Gallicizing the names of his friends, as did Frederick the Great, who, for example, used always to write the name of his great opponent Prince *Conis*, instead of Kaunitz. The somewhat strange French orthography of the Prince has in the letter which follows been altered into accord with the mode of spelling now customary.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

faire comprendre que c'est par ce canal que je pouvais recevoir à l'avenir les lettres que vous voudrez m'adresser.

En vous assurant que je désire ardemment de vous donner des preuves de l'estime avec laquelle je suis, Monsieur, votre très affectionné ami.

The writing is undated. A basis for establishing the date of its composition is offered, however, by the remark concerning an intended journey of the prince to France in the autumn. He was twice in France: the first time from August till November, 1784, the second in the winter of 1788–1789. The first journey certainly cannot be meant, because, as we know from Kapp's book, Steuben did not renew his correspondence with the prince until May, 1785. To date the letter in the year 1788 is likewise inadmissible, because the new constitution of the United States had already been determined in 1787. These difficulties are however removed by the fact that Henry, as is known from other information, had intended to make his second visit to France early in the autumn of 1787, but was afterward obliged, through various considerations, to postpone his departure for a year. Accordingly his answer to Steuben's letter must have been written in the first months of 1787. The date may be still more exactly determined, for the paper used bears a mourning border, which points to a bereavement in the royal family. In fact, a sister of Henry, the Princess Amalie of Prussia, had died on March 30, 1787, and as in such cases at that time the usual official period of mourning at the Prussian court lasted fourteen days, the first half of April, 1787, can with tolerable certainty be assumed for the composition of the document before us. For the letter of the second of November mentioned therein, which unfortunately has not yet been found, the year 1786 consequently presents itself—that is, the time when in the United States the call was resounding from all quarters for a new constitution in order to bring to an end the condition of public affairs (almost anarchic, according to a statement of Washington), which had set in after the War of Independence.

As to the contents of the prince's letter, we must first observe that the author, having in mind the possibility that it might fall into strange hands and be read by unbidden eyes, intentionally confines himself to indefinite and general phrases, without indicating clearly the actual pith of the affair concerning which his opinion was desired. Steuben had joined to his letter a writing by one of his American friends and it was the information contained in this document which, as the prince says, astonished him. It is plain from the remarks which follow, that this information must have related to a proposed

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fundamental change in the constitution of the United States, in the accomplishment of which the prince will believe only if the whole nation is united in regard to it. The encomium here bestowed on the English constitution, as the most perfect among all, was usual with Prince Henry; he shows himself in this to have been, like many of his contemporaries, influenced by Montesquieu's *Esprit des Lois*, in which the English parliamentary government, with a monarch at its apex, is represented as the ideal.

But what could impel Steuben and his friends to such a communication with a Prussian prince regarding the internal political affairs of the United States? There must surely have been reasons of a wholly confidential and personal nature, especially as the prince was asked to send over a cipher for the continuation of the correspondence. With what secret have we to do?

The conjecture lies near at hand, that the writing of his American friend transmitted by Steuben is identical with the writing of Nathaniel Gorham of the year 1786, wherein the latter, according to the memorandum of Rufus King, is said to have invited the prince to come to the United States as king, if the American people should decide to give themselves a constitution according to the English pattern. The carefully guarded expressions of the prince contain indeed no indication of the offer of a royal crown, nor do they coincide with the declaration of King, according to which the prince is said to have declined the offer on the ground that the Americans would hardly subject themselves to a new king after they had set themselves against their former monarch with so much determination. An indication of such a thought might perhaps be found in the remark of the prince that he could not believe the American nation would be found ready for a change of their present, *viz.*, republican, principles of government. Much significance also attaches to the advice contained in Henry's letter, that in any reorganization of American constitutional relations, regard should be had to the French, the faithful allies of the United States, without whose co-operation nothing great and permanent could be created there. If one is to venture at all upon the uncertain ground of an interpretation of this political oracle, he may conjecture that Henry was recommending, in the case of a monarchical restoration in the United States, the choice of a French candidate for the throne or at least of one agreeable to France, in order to ensure thereby the continuance of the Franco-American alliance. However fantastical such a combination may seem to us to-day, yet we must not overlook the fact that the American statesmen of that time had

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

constantly before their eyes the danger of new military complications with European powers, and that this reason was of great weight for the ultimate creation of a unified federal authority with comprehensive military and political powers.

Whatever the opinion may have been which Prince Henry wished to express in his reply to Steuben, and however the proposals may have read which came from Gorham or from those of like opinion with him, we must assume as certain that the correspondence lying before us was not continued. Even before the letter of the prince could have arrived in America, which under the conditions of intercourse at that time must have been nine or ten weeks after its dispatch, the Convention which was to determine the future constitution of the United States had on May 25, 1787, assembled in Philadelphia. No voice among its members was raised in favor of a monarchy. Alexander Hamilton indeed declared there that he looked upon the English constitution, in spite of all the corruption in the individual branches of the administration, as the most perfect pattern of government ever devised by human reason; but he immediately added that the mind of the American people was so thoroughly republican that the idea of introducing monarchy would be an idle dream—words which correspond exactly with the judgment of the Prussian prince in his correspondence with Steuben. It is well known that later, when the Convention had already decided for the title "President", Hamilton made a further attempt to procure a princely status for the first officer of the republic, by proposing to appoint him for life, "subject to removal by impeachment", whereby the presidency would, except for the exclusion of the hereditary principle, approximate to the office of stadtholder as maintained in the Republic of the United Netherlands. The proposition was rejected as undemocratic; we might perhaps designate it as the last echo of a state of mind in which intelligent and patriotic statesmen, in order to rescue the young American commonwealth from a complete collapse, devised the expedient of a return to monarchical institutions.

A fugitive trace of the idea, thus born in the stress of the moment, we recognize in the letter of Prince Henry which lies before us. While one might have attributed to the story told by Steuben merely the value of an anecdote without historical significance, and while the more definite statement of Rufus King encountered many doubts and left open the possibility of a misunderstanding or of the formation of a later legend, we have now the first unquestionable evidence that the supporters of a fundamental change in the constitution of the United States actually entered into correspondence

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

with Prince Henry. Steuben, as an acquaintance of the prince, played the part of go-between; perhaps it was he who turned the attention of his American friends, in their search for a suitable ruler for the United States, to this brother of Frederick the Great. In any case, Steuben knew more about the affair than he later saw fit to communicate to his secretary Mulligan. That the American writer of the letter which so astonished the prince was Nathaniel Gorham and that Gorham acted in a common understanding with his political party associates, can scarcely be doubted longer. The evidence furnished by Rufus King is supported by the discovery made in the Charlottenburg archives, although the latter does not quite afford a strict proof in the legal sense. In order to have full light thrown over this at least interesting episode in the early history of the constitution of the United States, it would be very gratifying if the text of Gorham's letter to Prince Henry, which, according to King's statement in 1824, was in the possession of General Hull in Massachusetts, could be rediscovered and made public.

RICHARD KRAUEL.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE DRED SCOTT DECISION, IN THE LIGHT OF CONTEMPORARY LEGAL DOCTRINES[1]

HAVING had occasion recently to renew my acquaintance with the case of Scott *v.* Sandford,[2] I have become persuaded that the usual historical verdict with reference to it needs revision in three important particulars: first, as to the legal value of the pronouncement in that case of unconstitutionality with reference to the Missouri Compromise; secondly, as to the basis of that pronouncement; thirdly, as to the nature of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship that was raised by Dred Scott's attempt to sue in the federal courts.[3]

The main facts leading up to and attending this famous litigation may be summarized as follows:[4] Dred Scott, a slave belonging to an army officer named Emerson, was taken by his master from the home state, Missouri, first into the free state of Illinois and thence into that portion of the national territory from which, by the eighth section of the Missouri Compromise, slavery was "forever" excluded. Here master and slave remained two years before returning to Missouri, the latter in the meantime having married with his master's consent. In 1852 Dred sued his master for freedom in one of the lower state courts and won the action, but upon appeal the decision was reversed by the supreme court of the state, upon the ground that Dred's status at home was fixed by state law regardless of what it was abroad—a decision which plainly ran counter to the whole trend of decision by the same court for the previous generation. Thereupon the case was remanded to the inferior court for retrial but Dred, having in the meantime upon the death of Emerson passed by bequest to Sandford, a citizen of New York, now decided to bring a totally new action in the United States circuit court for the Missouri district, under section 11 of the Act of 1789. In order to bring this action Dred had of course to aver his citizenship of Missouri, which averment was traversed by his adversary in what is known as a plea in abatement, which denied the jurisdiction of

[1] In substance this paper was read before the American Historical Association at its last annual meeting, December 29, 1910.

[2] 19 Howard 393–633 (cited below as "Rep").

[3] See James Ford Rhodes, *History of the United States*, II. 251 *et seq.*; James Schouler, *History of the United States*, V. 377 *et seq.*; Nicolay and Hay, *Abraham Lincoln*, II., ch. 4; Theodore Clarke Smith, *Parties and Slavery*, ch. 14.

[4] The agreed statement of facts is to be found, Rep. 397–399.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the court upon the ground that Dred was the descendant of African slaves and was born in slavery. The plea in abatement the circuit court overruled, but then proceeded to find the law on the merits of the case for the defendant Sandford; and from this decision Dred appealed to the United States Supreme Court.

Scott *v.* Sandford was first argued before the Supreme Court in the December term of 1855. From a letter of Justice Curtis we learn that in the view the court took of the case, it would find it unnecessary to canvass the question of the constitutionality of the Missouri Compromise.[5] And indeed it was evidently of a mind to evade even the question of jurisdiction, as raised by the plea in abatement, had it not been for the fact, as it presently transpired, that Justice McLean, a candidate for the Republican presidential nomination, had determined to make political capital of the controversy by writing a dissenting opinion, reviewing at length the history of African slavery in the United States from the Free Soil point of view. McLean's intention naturally produced some uneasiness among his brethren and particularly such as came from slave states, three of whom now began demanding reargument of the questions raised in connection with the plea in abatement.[6] This demand being acceded to, the case came on for reargument in the December term of 1856, that is, after the presidential election was over. Yet even now it was originally the purpose of the court to confine its attention to the question of law raised by the circuit court's decision, which rested upon the same ground as the state supreme court's earlier decision, and Justice Nelson was commissioned to write an opinion sustaining the circuit court.[7] Since the defeat of Fremont, however, and Buchanan's election, the advantage of position lay all with the pro-slavery membership of the court. Some of the latter contingent, therefore, but chiefly Justice Wayne of Georgia, who had on another occasion displayed a rather naïve view of the judicial function, now began bringing forward the notion that, as expressed in Wayne's very frank opinion, "the peace

[5] Curtis to Ticknor, April 8, 1856. George Ticknor Curtis, *Life of Benjamin Robbins Curtis*, I. 80.

[6] Ashley of Ohio's positive testimony on the basis of report current at the time Scott *v.* Sandford was pending, supplies the explanation needed of the demand for reargument, since the final disposition of the case would be precisely the same whether the circuit court were held to have erred in taking jurisdiction or, having rightfully taken jurisdiction, to have properly decided the case on its merits. *Congressional Globe*, 40th Cong., 3d sess., App., p. 211. See also McLean's opinion, Rep. 529–564, and Curtis's animadversions on the same, *ibid.*, 620. 620.

[7] Rep. 529–564. The fact that Nelson was commissioned to write an opinion *sustaining* the lower court again shows that intrinsically the question of the lower court's jurisdiction was regarded as unimportant.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and harmony of the country required the settlement . . . by judicial decision" of the "constitutional principles" involved in the case.[8] Yielding at last to this pressure, Chief Justice Taney consented to prepare "the opinion of the Court", as it is labelled, covering all issues that had been raised in argument before the court in support of the defendant's contentions. What was to be the scope of the court's decision was known to Alexander H. Stephens, as early as January, 1857,[9] and undoubtedly to Buchanan when he delivered his inaugural address. And to know what scope the decision was to take was equivalent practically to knowing its tenor, since it was extremely improbable that a majority of the court would have allowed so broad a range to inquiry had they not been substantially assured beforehand of its outcome. When, therefore, Buchanan in his inaugural address bespoke the country's acquiescence in the verdict of the court, "whatever it might be", his very solicitude betrayed that, as Lincoln inferred, he was talking from the card.

For obvious reasons, hostile criticism of the Dred Scott decision has always found its principal target in the Chief Justice's opinion, and the gravamen of such criticism has always been that the great part of it, particularly the portion dealing with the Missouri Compromise, was *obiter dictum*. I do not, however, concur with this criticism, for reasons which I shall now endeavor to make plain. And in the first place, it ought to be clearly apprehended what difficulty attaches to a charge of this sort against a deliberate utterance of the Supreme Court of the United States, evidently intended by it to have the force and operation of law, and for the reason that the ultimate test of what *is* law for the United States is, and at the time of the Dred Scott decision was, the opinion of the Supreme Court. On the other hand, the Supreme Court is not theoretically an irresponsible body: by the very theory that makes it final judge of the laws and the Constitution it is subject to these; as by virtue of its character as court it is subject to the *lex curiae,* that is to say, is bound to make consistent application of the results of its own reasoning and to honor the precedents of its own creation. What the charge of *obiter dictum* amounts to therefore is this: first, that the action of the Chief Justice in passing upon the constitutionality of the eighth section of the Missouri Compromise was illogical, as being inconsistent with the earlier part of his opinion, the purport of which, it is alleged, was to remove from the court's consideration the record of the case in the lower court and, with it.

[8] Rep. 454–455.

[9] See Rhodes, p. 253, and references.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

any basis for a pronouncement upon the constitutional question; and secondly, that the action of the Chief Justice was also in disregard of precedent, which, it is contended, exacted that the court should not pass upon issues other than those the decision of which was strictly necessary to the determination of the case before it, and particularly that it should not unnecessarily pronounce a legislative enactment unconstitutional. Let us consider these two points in order.

As already indicated, the primary question before the court upon the reargument was what disposition to make of the plea in abatement which the circuit court had overruled, thereby taking jurisdiction of the case,[10] and upon this point a majority of the court, including both Chief Justice Taney and Justice Curtis, ruled decisively both that the plea in abatement was before it and that the decision of the circuit court as to its jurisdiction was subject to review by the Supreme Court.[11] Evidently the charge of illogicality lies against only those judges of the above mentioned majority who, after overruling the plea in abatement and so pronouncing against the jurisdiction of the circuit court upon the grounds therein set forth, passed to consider the further record of the case, by which the constitutional issue was raised. But was such proceeding necessarily illogical? Upon this point obviously the pertinent thing is to consider Taney's own theory of what he was doing, which he states in substantially the following language at the conclusion of his argument on the question of the plaintiff's citizenship: but waiving, he says, the question as to whether the plea in abatement is before the court on the writ of error, yet the question of jurisdiction still remains on the face of the bill of exceptions taken by the plaintiff in which he admits that he was born a slave but contends that he has since become free; for if he has not become free then certainly he cannot sue as a citizen.[12] In other words, the Chief Justice's theory was, not that he was canvassing the case on its merits, which he could have done with propriety only had he chosen to ignore the question of jurisdiction, but that he was fortifying his decision upon this matter of jurisdiction by reviewing the issues

[10] *Supreme Court Reports, Lawyer's Edition*, bk. xv., 694, 697.

[11] This majority consisted of the Chief Justice and Justices Wayne, Daniel, Campbell, and Curtis. Grier considered it sufficient to canvass the question of the lower court's jurisdiction on the basis of the facts stated in the bill of exceptions. Nelson did not consider the question of jurisdiction. Catron and McLean did not deem the question of jurisdiction to be before the court.

[12] Rep. 427. Note also the Chief Justice's statement of the issue at the opening of his opinion, Rep. 400.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

raised in the bill of exceptions, *as well as* those raised by the plea in abatement; in other words that he was canvassing the question of jurisdiction afresh.

The matter of the validity of the Chief Justice's mode of proceeding then comes down to this question: Is it allowable for a court to base a decision upon more than one ground and if it does so, does the auxiliary part of the decision become *obiter dictum?* Upon the general question of what constitutes *dictum* we find the writer in the *American and English Encyclopedia of Law* indicating the existence of two views among common-law courts. By one of these views none of a judicial opinion is decision save only such part as was necessary to the determination of the rights of the parties to the action. By the other view, on the contrary, all of an opinion is decision which represents a deliberate application of the judicial mind to questions legitimately raised in argument.[13] On the precise question above stated the writer speaks as follows:

> Where the record presents two or more points, any one of which, if sustained, would determine the case, and the court decides them all, the decision upon any one of the points cannot be regarded as *obiter*. Nor can it be said that a case is not authority on a point because, though that point was properly presented and decided in the regular course of the consideration of the case, another point was found in the end which disposed of the whole matter. The decision on such a question is as much a part of the judgment of the court as is that on any other of the matters on which the case as a whole depends. The fact that the decision might have been placed upon a different ground existing in the case does not render a question expressly decided by the Court a dictum.[14]

True, this exact statement of the matter is of comparatively recent date, but it is supported by judicial utterances some of which antedate the Dred Scott decision and others of which, conspicuously one by Chief Justice Waite in Railroad Companies *v.* Schutte, plainly purport to set forth long standing and settled doctrine.[15] It is apparent moreover that this is the only doctrine tenable, for, were the opposite view taken, the law would remain unsettled precisely in proportion as the court presumed to settle it, since with a decision resting upon more than a single ground it would be always open to those so disposed to challenge the validity of all but one of such

[13] *Encyc.* (2d ed.), "Dictum", IX. 452–453; "Stare Decisis", XXVI. 168–169. *Cf.* Carroll *v.* Carroll's Lessee, 16 How. 275, 287, and Alexander *v.* Worthington, 5 Md. 471, 487.

[14] *Ibid.*, 171. I am indebted for this reference to Elbert W. R. Ewing's *Legal and Historical Status of the Dred Scott Decision* (Washington, 1909). I may add that this is the sum total of my indebtedness to the work mentioned.

[15] 103 U. S. 118, cited with approval in Union Pacific R. R. Co. *v.* Mason City etc., R. R. Co., 199 U. S. 160.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

grounds, and that one selected at whim. Thus granting—what indeed is evident—that Taney was under no necessity of canvassing both the question of Dred's citizenship and that of his servitude, yet since he did canvass both questions with equal deliberation, who is to say which part of his opinion was decision and which *obiter?*

However, it is urged that an exception must be made in the case of constitutional questions, which should be left undecided if possible. To quote Justice Curtis's protest against the Chief Justice's opinion: "a great question of constitutional law, deeply affecting the peace and welfare of the country, is not . . . a fit subject to be thus reached"; such is the argument.[16] So far however is this alleged exception from being justified by the history of the matter, that it would be far nearer the truth to say that, if constitutional cases comprise a class by themselves in this reference, they warrant an exceptionally broad view of the legal value of judicial opinion. Let us consider for example some of Chief Justice Marshall's decisions in this connection, but particularly his decision in Cohens *v.* Virginia.[17]

In that case the plaintiff in error had been indicted and subjected to trial and penalty under a Virginia statute for selling tickets for a lottery which Congress had chartered for the District of Columbia. As in the Dred Scott case, the primary question before the court was one of jurisdiction, though in this case the Supreme Court's own jurisdiction, which counsel for Virginia denied upon four grounds: first, that a state was defendant, contrary to the Eleventh Amendment; secondly, that no writ of error lay from a state court to the Supreme Court; thirdly, that if the act in question was meant to extend to Virginia it was unconstitutional; and fourthly, that it was not meant so to extend. Ultimately Marshall dismissed the case for want of jurisdiction upon the last ground, which involves no constitutional question, but before he did so he not only invited argument upon the other points, but in the greatest of his opinions he met and refuted every argument advanced by counsel for Virginia thereupon. Yet by the test set for Taney's opinion in the Dred Scott case, all the valuable part of this great decision is *obiter dictum,* and that of the most gratuitous kind, since its purport was not in support of but counter to the final disposition of the immediate issue before the court.[18] And in truth Cohens *v.* Virginia was

[16] Rep. 590.

[17] 6 Wheat. 264.

[18] The portion of Marshall's opinion in Cohens *v.* Virginia which comprises the leading decision on the point with which it deals runs as follows: "It is, then, the opinion of the court, that the defendant who removes a judgment rendered against him by a state court into this court, for the purpose of re-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

criticized by Jefferson[19] upon grounds quite similar to those taken by the critics of Chief Justice Taney's opinion in Scott *v.* Sandford, notwithstanding which, however, it has always been regarded as good law in all its parts and indeed was so treated and enforced, once and again, by the court over which Taney himself presided.[20]

The fact of the matter is that the critics of Chief Justice Taney take their view of the proper scope of judicial decision from the common law rather than from American constitutional law. Altogether, the only feasible definition, historically, of *obiter dictum* in the field of American constitutional law would seem to be, a more or less casual utterance by a court or members thereof upon some point not deemed by the court itself to be strictly before it and not necessary to decide, as preliminary to the determination of the controversy before it. Such an utterance, for example, is that of Chief Justice Marshall at the close of his decision in Brown *v.* Maryland, where he says that he "supposes" that the principles he has just applied to a case arising in connection with foreign commerce would also apply in a case of commerce among the states.[21] This pronouncement is obviously an aside upon a point not argued before the court and it is quite justifiably ignored by Chief Justice Taney in his opinion in the License cases,[22] whereas the rest of Marshall's opinion in Brown *v.* Maryland Taney treats as law, though the entire second portion of it, dealing with the commerce clause, was unnecessary, as the immediate issue before the court had already been disposed of under Article I., Section 10 of the Constitution.

Chief Justice Taney had therefore, it appears, an undeniable right to canvass the question of Scott's servitude in support of his decision that Scott was not a citizen of the United States, and he had the same right to canvass the question of the constitutionality of the Missouri Compromise in support of his decision that Scott was a slave. To all these points his attention was invited by arguments of counsel and to all of them he might cast it with propriety by a well-established view of the scope of judicial inquiry in such

examining the question whether that judgment be in violation of the constitution or laws of the United States, does not commence or prosecute a suit against the State". By the test set by the critics of C. J. Taney's opinion in Scott *v.* Sandford, however, the above quoted utterance is not decision; for its author continues thus: ". . . But should we in this be mistaken, the error does not affect the case now before the court", the reason being that since Cohens was not a citizen of "another State", the Eleventh Amendment did not apply.

[19] *Writings* (Memorial Edition), XV. 297–298, 326, 389, 421, 444–452.

[20] R. I. *v.* Mass., 12 Pet. 744 (1838), and Prigg *v.* Pa., 16 Pet. 539 (1842). See also Taney's own opinion in United States *v.* Booth, 21 How. 506 (1858).

[21] 12 Wheat. 419, 449.

[22] 5 How. 504, 574–578: see also J. McLean, *ibid.*, 594.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cases. If then the decision rendered by six of the nine judges on the bench, that the Missouri Compromise was unconstitutional, is to be stigmatized as unwarrantable, which is all that the court of history can do with it, it is not by pronouncing it to have been *obiter dictum* but by discrediting, from the standpoint of the history of constitutional law antedating the decision, the principles upon which it was rested.

Turning then to consider the constitutional decision directly, we find our task simplified to this extent: that the entire court, majority and dissenting minority alike, are in unanimous agreement upon the proposition that, whatever the source of its power, whether Article IV., Section 3 of the Constitution or the right to acquire territory and therefore to govern it, Congress in governing territory is bound by the Constitution—a proposition to which the court has always adhered, though there has been latterly some alteration of opinion as to what provisions of the Constitution control Congress in this connection. And this was the question that troubled the majority in the Dred Scott case. The Missouri Compromise was unconstitutional, that was certain; but just why—that was immensely uncertain. The extremest position of all was taken by Justice Campbell, whose doctrine was that the only power Congress had in the territories, in addition to its powers as the legislature of the United States, was the power to make rules and regulations of a conservatory character "for the preservation of the public domain, and its preparation for sale or disposition". From this it was held to follow that whatever the Constitution and laws of the states "validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognise to be property".[23] This of course is the extremest Calhounism, from which it came later to be deduced, with perfect logic, that it was the duty of the federal government, not only to admit slavery into the territory, but to protect it there. But, as Benton showed in his famous *Examination of the Dred Scott Case*, this particular phase of Calhounism was, at the date of the Dred Scott decision, less than ten years old.

And it is at this point that we come upon the second error I had in mind at the outset of this paper, an error traceable to Benton, but ever since repeated by historians of the Dred Scott decision, namely, the assumption that that decision rested exclusively upon Calhounist premises. Nothing however could be farther from the fact, for though Justice Daniel of Virginia seems to go almost as

[23] Rep. 509–517; the quotations are from pp. 514 and 515.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

far as Campbell in representing the power of Congress in governing the territories as a mere proprietary power of supervision, yet even he rejects Campbell's notion that Congress was the mere trustee of the states; while Justices Catron of Tennessee, an old Jacksonian Democrat, Grier of Pennsylvania and of similar traditions, Wayne, a Southern Whig, and the Chief Justice himself, could by no means consent thus to read the Constitution through the spectacles of the prophet of nullification. Upon what grounds then were these judges to rest their pronouncement of the unconstitutionality of the Missouri Compromise? Let us first take up the case of Catron and then turn to that of the Chief Justice, who spoke upon this point for himself, for Grier and Wayne, and to a great extent, for Daniel.

Catron paid his respects to the Calhounist point of view in the following words: "It is due to myself to say, that it is asking much of a judge, who has for nearly twenty years been exercising jurisdiction, from the western Missouri line to the Rocky Mountains, and, on this understanding of the Constitution", namely that Congress has power really to govern the territories, "inflicting the extreme penalty of death for crimes committed where the direct legislation of Congress was the only rule, to agree that he had been all the while acting in mistake, and as an usurper." Setting out from this extremely personal point of view, Catron found that Congress possessed *sovereignty* over its territory, limited however in this case by the treaty with France, with which the anti-slavery article of the Missouri Compromise was, he held, incompatible, and always by the spirit of the Constitution, which stipulates for the citizens of each state the rights and privileges of citizens of the several states and demands that the citizens of all states be treated alike in the national territory. It is true that Catron draws the idea of the equality of the states to his support, but his concern is plainly for the rights of citizenship rather than the prerogatives of statehood.[24] And in this connection it is worth recalling that almost exactly thirty years before, as Chief Justice of Tennessee, Catron had rendered the decision in Van Zant *v.* Waddell,[25] which is the first decision in which the concept of class legislation is distinctly formulated as a constitutional limitation, and which is a landmark in the history of American constitutional law.

But the most strongly nationalistic, or more precisely *federalistic,* of all the opinions upon the constitutional question was that of the Chief Justice, who again followed Marshall in tracing the power

[24] Rep. 522–527.
[25] 2 Yerg (Tenn.) 260.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of Congress to govern territories to its power to acquire them. Upon what ground then was he to rest his condemnation of the Missouri Compromise? In one or two passages Taney speaks of Congress as "trustee", but it is as trustee of the "whole *people* of the Union" and for *all* its powers. The limitations upon the power of Congress must therefore, in this case as in all cases, be sought in the Constitution, "from which it derives its own existence, and by virtue of which alone it continues to exist and act as a Government and sovereignty".[26] From this it follows that when Congress enters a territory of the United States it cannot "put off its character and assume discretionary or despotic powers which the Constitution had denied to it": it is still bound by the Constitution. Therefore Congress can make no law for the territories with respect to establishing a religion, nor deny trial by jury therein, nor compel anyone to be a witness against himself in a criminal proceeding. "And", the Chief Justice continues, "the rights of private property have been guarded with equal care." They "are united with the rights of person, and placed on the same ground by the fifth amendment to the Constitution, which provides that no person shall be deprived of life, liberty, and property, without due process of law. And an act of Congress which deprives a citizen of the United States of his liberty or property, merely because he came himself or brought his property into a particular Territory of the United States, and who had committed no offence against the laws, could hardly be dignified with the name of due process of law."[27]

Such then is the basis of the Chief Justice's decision: the "due process of law" clause of the Fifth Amendment. The striking feature of this objection to the prohibitory clause of the Missouri Compromise is its baffling irrelevancy. It is true that the Supreme Court had in 1855, in Murray *v.* the Hoboken Company,[28] laid down the doctrine that all legal process was not necessarily due process, that in providing procedure for the enforcement of its laws Congress was limited in its choice to the methods in vogue at the time of the adoption of the Constitution. But in the Dred Scott case no matter of procedure was involved, the antagonists of the law in question being opposed not to the *method* of its enforcement, but to its enforcement at all; not to the mode of its operation, but to its substance. If lack of due process therefore was chargeable in such a case, it was chargeable in the case of any enactment, penal or of other sort, no matter by what machinery it was designed to be car-

[26] Rep. 448–449. The italics are mine.
[27] *Ibid.*, p. 450.
[28] 18 How. 272.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ried out, if the general result of its enforcement would be to diminish someone's liberty or property for no fault of his own, save as determined by the law in question. In a word, legislation would be practically at an end.

Naturally, the amazing character of this doctrine did not escape the attention of Justice Curtis, who had been spokesman for the court in the Hoboken case. If the Missouri Compromise did indeed comprise one of a class of enactments proscribed by the Fifth Amendment, what then, Justice Curtis inquired, was to be said of the Ordinance of 1787, which Virginia and other states had ratified notwithstanding the presence of similar clauses in their constitutions? What again was to be said upon that hypothesis of the act of Virginia herself, passed in 1778, which prohibited the further importation of slaves? What was to be said of numerous decisions in which this and analogous laws had been upheld and enforced by the courts of Maryland and Virginia, against their own citizens who had purchased slaves abroad, and that without anyone's thinking to question the validity of such laws upon the ground that they were not law of the land or due process of law? What was to be said of the act of Congress of 1808 prohibiting the slave trade and the assumption of the Constitution that Congress would have that power without its being specifically bestowed, but simply as an item of its power to regulate commerce? What finally, if the scope of congressional authority to legislate was thus limited by the Fifth Amendment, was to be said of the Embargo Act, which had borne with peculiar severity upon the people of the New England States, but the constitutionality of which had been recently asserted by the court in argument in the roundest terms.[29]

The plain implication of this apparently crushing counter-argument of Justice Curtis is that the Chief Justice was, at this point, making up his constitutional law out of whole cloth. Was this implication quite fair? The answer is that it was not, as a brief examination of the legal history involved will show.[30] What Taney was attempting to do in the section of his opinion above quoted was to engraft the doctrine of "vested rights" upon the national constitution as a limitation upon national power by casting round it the "due process of law" clause of the Fifth Amendment. But neither the doctrine of "vested rights" nor yet such use of "due process of law" was novel, and indeed the former was, in 1857, compara-

[29] Rep. 626–627; the Virginia cases cited are 5 Call 425 and 1 Leigh 172, and the Maryland case is 5 Harr. and J. 107. He might have added 2 Munf. (Va.) 393.

[30] See the writer on "The Doctrine of Due Process of Law before the Civil War", *Harvard Law Review*, XXIV. 366 *et seq.*; 460 *et seq.*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tively ancient. The doctrine of "vested rights" signified this: that property rights were sacred by the law of nature and the social compact, that any legislative enactment affecting such rights was always to be judged of from the point of view of their operation upon such rights, and that when an enactment affected such rights detrimentally without making compensation to the owner, it was to be viewed as inflicting upon such owner a penalty *ex post facto* and therefore as void. The foundation for the doctrine of "vested rights" was laid in 1795 by Justice Patterson in his charge to the jury in Van Horn *v.* Dorrance,[31] but more securely still by Justice Chase in his much cited dictum in Calder *v.* Bull,[32] in which he propounds what may be regarded as the leavening principle of American constitutional law, the doctrine, namely, that entirely independent of the written Constitution, legislative power is limited by its own nature, the principles of republican government, natural law, and social compact.

Reposing upon this foundation, as well as upon the principle of the separation of the powers of government, the doctrine of "vested rights" soon found wide acceptance, being infused by Marshall in 1810 into the "obligation of contracts" clause of the national Constitution[33] and receiving from Chancellor Kent in 1811 its classic formulation in Dash *v.* Van Kleeck.[34] Presently, however, principles hostile to the doctrine began to appear, particularly the doctrine of "popular sovereignty", which insisted in the first place upon tracing the sanctity of the written Constitution, not to a supposed relation to fundamental rights but to its character as the immediate enactment of the sovereign people, and in the second place upon the natural predominance of the legislature in government as comprising the immediate representatives of the people. From 1830 on, the doctrine of the "police power", that is, the power of the legislature to regulate all rights in the furtherance of its own view of the public interest, began to supersede the doctrine of "vested rights" as the controlling maxim of American constitutional law, receiving indeed from Taney himself, in his opinions in the Charles River Bridge case and License cases, a distinct impetus.[35] In this situation obviously the problem before those judges who wished to adhere to the older doctrine was to discover some phrase of the written Constitution capable of subserving the purposes of the doctrine of "vested rights". The dis-

[31] 2 Dall. 309 (1795).
[32] 3 Dall. 386 (1798).
[33] 6 Cr. 87, Fletcher *v.* Peck.
[34] 7 Johns. (N. Y.) 498.
[35] 11 Pet. 420 (1837); 5 How. 504 (1846).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

covery was made by the North Carolina supreme court, in 1832, in the case of Hoke *v.* Henderson,[36] in which the use made of the phrase "law of the land" of the North Carolina constitution affords an exact counterpart to Taney's use of "due process of law" in Scott *v.* Sandford. From North Carolina the notion spread to New York, where it was utilized by Justice Bronson in 1843 in Taylor *v.* Porter.[37] The immediate source of Taney's inspiration, however, was probably—though there is no hint of the matter in the briefs filed by Sandford's attorneys—the decision of the New York court of appeals in the case of Wynehamer *v.* the People, in which, in the interval between the first and second arguments of the Dred Scott case, an anti-liquor law was pronounced unconstitutional under the "due process of law" clause of the New York constitution, as comprising, with reference to existing stocks of liquor, an act of destruction which it was not within the power of government to perform, "even by the forms which belong to due process of law".[38]

So much by way of justification of Chief Justice Taney. There is however another side to the matter. In the first place, as above hinted, Taney was performing in Scott *v.* Sandford what for him was a distinct *volte face* toward the doctrine of "vested rights". In the second place, he was availing himself of what at the time was decidedly the weaker tradition of the law. For not only had the doctrine of "vested rights", in 1857, generally gone by the board in its original form, but save in North Carolina and New York it had, in its new disguise, practically no hold anywhere. Essentially contemporaneous with the Wynehamer case were similar cases in an even dozen states. In all save one the law was upheld, and in that case it was overturned upon the basis of the doctrine of natural rights.[39] Furthermore, in only one court, that of Rhode Island, and that subsequently to the New York decision, was the "due process of law" or "law of the land" clause adduced as a limitation upon substantive legislation. Said the Rhode Island court on that occasion: "It is obvious that the objection confounds the power of the assembly to create and define an offense, with the rights of the accused to trial by jury and due process of law . . . before he can be convicted of it."[40]

[36] 2 Dev. 1, preceded by Univ. of N. C. *v.* Foy, 2 Hayw. 310 (1807). See also Webster's argument in the Dartmouth College case, 4 Wheat. 518, 575 *et seq.*

[37] 4 Hill (N. Y.) 140, preceded by the matter of John and Cherry Sts., 19 Wend. 676, and followed by White *v.* White, 5 Barb. 474, Powers *v.* Bergen, 6 N. Y. 358, and Westervelt *v.* Gregg, 12 N. Y. 209 (1854).

[38] 13 N. Y. 378, 420 (through Justice A. S. Johnson).

[39] *Harv. Law Rev.*, XXIV. 471–474.

[40] St. *v.* Keeran, 5 R. I. 497; see also 5 R. I. 185, and 3 R. I. 64 and 289.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This utterance may be taken, without hesitation, as decisive of the established interpretation of the "due process of law" clause in 1857. But all this is upon the assumption of a parity between Congress and the state legislature with reference to the doctrine of vested rights. In the third place, however, no such parity could, upon fundamental principles, have been justifiably conceived to exist at the date of Scott *v.* Sandford. The doctrine of "vested rights" rested upon the hypothesis of the recognition by the common law of certain fundamental rights which the people of the respective states possessed from the outset and which they could not be supposed to have parted with by mere implication in establishing the legislative branch of the government.[41] But these considerations were entirely irrelevant to the case of the legislative powers of Congress for two distinct, but equally powerful, reasons. In the first place it was a fundamental maxim in Taney's day that there was no such thing as a common law of the United States.[42] In the second place the power of Congress is not a loosely granted general power of legislation but a group of specifically granted powers. While, therefore, the federal courts from the very outset—though very sparingly in Taney's day—in cases which fell to their jurisdiction because of the character of the parties involved and in which therefore state law was to be enforced, repeatedly passed upon the validity of state laws under "general principles of constitutional law",[43] the United States was always conceived strictly as a government of delegated powers, neither deriving competence from, nor yet finding limitation in, principles external to the Constitution. It was therefore always a fundamental principle of constitutional construction with Marshall that within the sphere of its delegated powers the national government was sovereign, not merely as against the rights of the states but also against the rights of individuals, a point of view which he sets forth with great explicitness in his opinion in Gibbons *v.* Ogden[44] with reference to the commercial power of Congress and which Justice Daniel reiterates, so far as the rights of persons are concerned, as late as 1850 in United States *v.* Marigold.[45] True, Taney does find

[41] See J. Patterson in Van Horne *v.* Dorrance, cited above: also J. Story in Terrett *v.* Taylor, 9 Cr. 43 (1815), and in Wilkinson *v.* Leland, 2 Pet. 627 (1829).

[42] The leading case on this point is that of Wheaton and Donaldson *v.* Peters and Grigg, 8 Pet. 591, 658.

[43] See note 40, *supra;* see also J. Miller in Loan Association *v.* Topeka, 20 Wall. 655 (1874) and in Davidson *v.* New Orleans, 96 U. S. 97 (1877).

[44] 9 Wheat. 1, 196–197. The doctrine here stated is that the only limitations upon the power of Congress in the regulation of foreign and interstate commerce are the purely political limitations which arise from the responsibility of Congress to its constituents.

[45] 9 How. 560.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the restriction which he is applying in the Constitution itself, namely, in the "due process of law" clause of the Fifth Amendment, but what this admission signifies is simply this: that his use of the clause in question can draw no valid support from the earlier history of the doctrine of "vested rights", which upon fundamental principles was applicable only as a limitation upon the legislative power of the states, and that therefore its only justification is to be found in what, in 1857, was a relatively novel doctrine peculiar to the courts of two states.

But though Taney's invocation of the "due process of law" clause of the Fifth Amendment had so little to warrant it in the constitutional law of the day, it has received subsequently not a few tokens of ratification. Particularly is it noteworthy that the Republican opponents of the Dred Scott decision, instead of utilizing Curtis's very effective dissent at this point, now pounced upon the same clause of the Constitution and by emphasizing the word "liberty" in it, instead of the word "property", based upon it the dogma that Congress could not *allow* slavery in the territories.[46] After the Civil War Taney's Republican successor, Chase, used the "due process of law" clause of the Fifth Amendment in his opinion in Hepburn *v.* Griswold in the same sense in which Taney used it in Scott *v.* Sandford, but only as a limitation upon the implied powers of Congress.[47] This doctrine was flatly rejected by the Supreme Court, speaking through Justice Strong, in Knox *v.* Lee.[48] Yet a few years later, Justice Strong himself was elaborating the Taney-Chase point of view in his dissenting opinion in the Sinking Fund cases, and connecting it with Hoke *v.* Henderson.[49] Of late years too the same doctrine has shown a disposition to crop up repeatedly, though it is uncertain whether it has ever attained the dignity of formal decision.[50] Meantime of course, since the middle nineties, when the Supreme Court began to regard itself as the last defense of the country against socialism, it has been applying

[46] See the Republican Platform of 1860, para. 8. At this point the Republicans followed McLean's opinion rather than Curtis's. Note the significance in this connection of the discussion as to whether slaves were recognized by the Constitution; and also of the discussion as to whether slavery was recognized by natural law.

[47] 8 Wall. 603, 624; *cf.* J. Miller's cogent answer, *ibid.*, 637–638. Also, *cf.* the Chief Justice's own decision in Veazie Bank *v.* Fenno, in the same volume of reports, 533 *et seq.*

[48] 12 Wall. 457, 551. C. J. Chase elaborates upon his earlier argument under the Fifth Amendment at 580–582; he quotes the old dictum in Calder *v.* Bull to support his position.

[49] 99 U. S. 700, 737–739.

[50] See the various justices in the Northern Securities Company case, 193 U. S. 197, 332, 362, 397–400. See also J. Harlan in Adair *v.* United States, 208 U. S. 161, 172–174; *cf.* J. McKenna, *ibid.*, 180–190, and J. Holmes, 191.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

steadily in modified form the North Carolina-New York doctrine in limitation of state legislative power under the Fourteenth Amendment.[51]

Turning finally to the consideration of our third main topic, namely the character of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship raised by Dred's attempt to sue in the federal courts, we find that it can be disposed of rather briefly. The usual view of the issue referred to is that it resolved itself into a dispute as to the relative weight to be given to the two conflicting sets of facts bearing upon the question whether negroes were in any case capable of citizenship at the time of the adoption of the Constitution, a dispute in which it is generally agreed that Justice Curtis had the weight of evidence on his side. This account of the matter is inaccurate. A careful comparison of Chief Justice Taney's opinion with that of Justice Curtis reveals the fact that the fundamental issue between the two judges, though it is not very specifically joined, is not whether there may not have been negro citizens of states in 1787 who upon the adoption of the Constitution became citizens of the United States, but from what source citizenship within the recognition of the Constitution was supposed to flow thenceforth. Upon this point, Curtis's view was that citizenship within the recognition of the Constitution in the case of persons born within the United States was through the states, while Taney's view was that a "citizen of the United States", to use his frequent phrase, always, unless descended from those who became citizens at the time of the adoption of the Constitution, owed his character as such to some intervention of national authority—was, in short, a product of the national government.[52] Curtis's theory, it can hardly be doubted, was that of the framers of the Constitution, wherefore Taney's pretense of carrying out not only the spirit but the very letter of the Constitution as it came from the framers, becomes at this point particularly hollow.[53] On the other hand, Taney's view is a very logical, and indeed inevitable, deduction from his whole body of doctrine with reference to the federal system. This doctrine, which came from the "Virginia School" after its disappointment at the failure of the

[51] See the writer on "The Supreme Court and the Fourteenth Amendment", *Michigan Law Review*, VII. 642–672. See also Holden *v.* Hardy, 169 U. S. 366, and Lochner *v.* the People of the State of New York, 198 U. S. 45.

[52] Taney states his position on this point at pp. 404–406 and 417–418 of the Report, and Curtis states his at p. 581.

[53] Taney translates the "citizens of each State" clause of the Constitution as "citizens of the United States", but the derivation of this clause from the Articles of Confederation forbids any such notion. See also *Federalist*, no. XLII.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Virginia and Kentucky Resolutions to establish the primacy of the states in the federal system, was the theory of the dual nature of that system: the states independent and sovereign within their sphere and the national government within its. This theory Taney had voiced from the beginning of his judicial career, so that, at this point at least, he was acting consistently with his past. Also, without doubt, the doctrine in question was pretty well established by 1857, both in judicial decision and in political thinking.[54]

To summarize: I conclude, first, that the Dred Scott decision was not *obiter dictum* within any definition of *obiter dictum* obtainable from a fair review of the practice of the Supreme Court, particularly under Marshall, in constitutional cases; secondly, that it was not based by the majority of those entering into it upon Calhounist premises; and thirdly, that Justice Curtis's supposed refutation of Taney's argument upon the question of Dred Scott's title to a *prima facie* citizenship within the recognition of the Constitution is a fiction. None of these results, however, goes far to relieve that decision of its discreditable character as a judicial utterance. When, as in this case, the student finds six judges arriving at precisely the same result by three distinct processes of reasoning, he is naturally disposed to surmise that the result may possibly have induced the processes rather than that the processes compelled the result, though of course such surmise is not necessarily sound; but when he discovers further that the processes themselves were most deficient in that regard for history and precedent in which judicial reasoning is supposed to abound, his surmise becomes suspicion; and finally when he finds that beyond reasoning defectively upon the matter before them, the same judges deliberately gloss over material distinctions (as for example, in this case, the distinction between sojourn and domicile) and ignore precedents that they have themselves created (as for example, in this case, the decisions regarding the operation of state decisions upon questions of comity) his suspicion becomes conviction. The Dred Scott decision cannot be, with accuracy, written down as usurpation, but it can and must be written down as a gross abuse of trust by the body which rendered it. The results from that abuse of trust were moreover momentous. During neither the Civil War nor the period of Reconstruction did the Supreme Court play anything like its due role of supervision, with the result that during the one period the military powers of the President under-

[54] For a statement of this doctrine, see Taney's opinion in the United States *v.* Booth, cited above, note 19. It should be noted in passing that this elucidation of the real issue between Taney and Curtis on the citizenship question throws additional light on the close relation existing in Taney's mind between the question of Dred's servitude and that of his citizenship.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

went undue expansion, and during the other the legislative powers of Congress. The court itself was conscious of its weakness, yet notwithstanding its prudent disposition to remain in the background, at no time since Jefferson's first administration has its independence been in greater jeopardy than in the decade between 1860 and 1870; so slow and laborious was its task of recuperating its shattered reputation.

EDWARD S. CORWIN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

DOCUMENTS

Secret Reports of John Howe, 1808, I.

THE feeling of acute tension between Great Britain and the United States in 1807 resulted in detailed preparations for defence throughout British North America. Civil governors gave way to men whose strength lay rather in the fact that they were experienced military officers; old fortifications were renewed, and new ones planned; military stores were suddenly augmented; while the numbers of the militia and their proficiency in the manual of arms became important, burning topics.[1] Amid this threatening rattle of arms the employment of secret service was once again resorted to as an auxiliary force of no mean value. Two movements run parallel in east and west: in Lower Canada Sir James Craig received the now famous letters of John Henry in the spring of 1809, while in 1808 Sir George Prevost, lieutenant-governor at Halifax, was gleaning information along similar lines from the reports of John Howe. Likewise in each case the prologue is well defined. If Prevost's predecessor Sir John Wentworth and certain official associates took the first step to discover the real disposition of their American neighbors whose trade was so important for Nova Scotia, the correspondence of H. W. Ryland affords a clear view of preliminary movements at the other extremity of British North America.

With Sir James Craig and the letters of John Henry we need spend little time. They are well known. It will be sufficient to note that the guiding spirit in this affair was Herman W. Ryland, a relative of the English royal family, who came to Canada with Lord Dorchester, and had become almost a permanent secretary to the governors. He carried on the tradition of Dorchester's secret service, and corresponded with several persons on various political topics of a confidential nature.[2]

On the other hand the records of secret service in Nova Scotia

[1] This is amply proven by state papers in Q and M series in the Canadian Archives at Ottawa.

[2] Letters to him from John Richardson and John Henry are in Lower Canada Sundries of the S series at the Dominion Archives. The Henry letters given *in extenso* in the *Canadian Archives Report* for 1896, Note B, are taken from series Q. Some in series S have not been printed. The Henry letters bought and printed by President Madison, and dated at Boston, March 5–May 25, 1809, may be most conveniently seen in *American State Papers, Foreign Affairs*, III. 547–552.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

during this period are almost unknown, and no satisfactory account has ever been given of the documents printed below. They are taken from series M at the Dominion Archives at Ottawa, numbers 577 F–577 H inclusive. The originals are among Colonial Office papers at the Public Record Office, London, series "Colonial Correspondence, Nova Scotia", volumes 41–45 inclusive (new reference "C. O. 217", volumes 81–85 inclusive).

It is not difficult to trace the steps leading up to the formal mission of John Howe. It could hardly be unknown to all high officials in British North America that Jefferson's embargo policy was decidedly unpopular in New England. The murmurings of the disaffected and the comparative looseness of the federal bond were other patent facts of the time. As a result we find British officials both in England and in America endeavoring to obtain a more exact knowledge of the political situation in the United States with a view to profiting thereby should war ensue. When fugitive items were not deemed sufficient the sending of regular agents logically followed. It is significant that both Lower Canada and Nova Scotia sent emissaries to those parts of the United States in whose trade they were chiefly interested; the commercial relations of Nova Scotia covered a wider field.

On October 26, 1807, Sir John Wentworth wrote to the colonial secretary as follows:[3]

> As accurate information of the military movements, occurrences and intentions in the neighbouring Country's, is essentially necessary at this interesting and anxious crisis of Public affairs, to enable His Majesty's servants in command here, to take precautionary measures for defence with effect, or to frustrate any hostilities contemplated against the King's authority in these Colonies, Vice Admiral Berkeley, Major General Hunter and myself have thought it, not only adviseable, but too seriously essential to omit despatching a person well qualified, to observe whatever may be agitating.

This preliminary agent was Lieutenant Girod, who returned in May, 1808, and delivered his report.[4]

The character of the information which reached Halifax at this time may be judged from two extracts. The first was written by Major-General Martin Hunter, then commanding the military at Halifax.[5]

> By a gentleman on whom I can depend that arrived here on Sunday last from New York I found at that time no further preparations were

[3] Canadian Archives, series M, 577 E, Wentworth to Castlereagh, no. 177, Oct. 26, 1807.

[4] Can. Arch., series M, 577 E, Wentworth to Cooke, May 23, 1808. Lieut. Girod's report is printed as no. I., below.

[5] Can. Arch., series M, 577 D, Hunter to Castlereagh, Nov. 11, 1807.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

making for the defence of the City, except some additional Batteries on Georges Island. The narrows still remained unfortified; he counted thirteen Gun Boats sailing about in the Harbour he said he was certain that the Eastern members of Congress to a man were for Peace, but that they were much afraid at New York that they would be out voted by the Southern members. In the event of Hostilities with England it was generally supposed the Indians were inclined to join us.

The second was penned by Sir John Wentworth, and is as follows:[6]

This District [New England] is offended at the interference of France in the affairs of the Union, too obviously to be doubted, and with a separate interest driving them to War, and alarmed at appearances, that the Conquest of Canada, Nova Scotia and New Brunswick, under the command of General Moreau, will bring the power of France so near to New England as to entail war and corrupt means for their subjugation. They also wisely appreciate their probable loss, and present inability for carrying on a maritime war, and are jealous, that their interests are not considered by those in Government, who urge a rupture with Great Britain. These impressions are so deeply prevailing, that they will act coldly, and not impossibly, if compelled will openly refuse aid. . . .

The members of Congress from the Eastern States on their journey to Washington, frequently declared, they were resolved to vote for Peace, and Mr. Gallatin, Secretary of the Treasury signified to his private friend—That secret instructions were sent, to their minister in London, not to insist too seriously on their claims, rather seeking moderate modifications.

As a result of these reports Sir George Prevost, Wentworth's successor, received formal instructions from the colonial secretary, which ran in this wise:[7]

In addition to the official instructions you have received, I think it right to furnish you with some private suggestions which may be of use according to exigencies.

It is believed that the Leaders and Inhabitants in general of the North Eastern States entirely disapprove of hostile measures against this Country, of which they seem by their Publications and Votes, to deny both the Policy and Justice. If this spirit be as sincere and as general as we are led to suppose, no means should be unemployed to take advantage of it.

With this view, I am to desire you will use your utmost endeavours to gain Intelligence with regard to the projects of the American Government in General, and particularly those of the States bordering upon His Majesty's Territories; and as this service cannot be effected without Expence, I am to authorize you to make such advances as you shall judge necessary, and to draw Bills for the amount upon my under secretary Mr. Cooke. . . .

[6] Can. Arch., series M, 577 D, secret despatch (no. 178) from Wentworth to Castlereagh, Nov. 14, 1807.

[7] Can. Arch., series M, 577 E, draft of private and secret despatch to Sir George Prevost, Downing Street, Feb. 13, 1808.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

If, upon the breaking out of Hostilities, you shall find the adjacent States indisposed to active Warfare, and willing to enter into any private arrangement for mutual convenience in point of Trade; you may possibly turn this Disposition into a Means of facilitating the Introduction of British commodities and manufactures. The Power you will have of giving the Americans Indulgence in Fishing, in obtaining Gypsum from New Brunswick, or coals from Cape Breton, will enable you to make Arrangements of this kind and such measures will show that as the Eastern States of America seem to disapprove the violence of the Southern States of the Union, Great Britain is disposed to make a just distinction in the Conduct of the War, towards them.

The Circulation of proper Publications in the neighbouring States through the medium of the Press may have good effect in awakening the Americans to the Ill conduct and Impolicy of their Government in precipitating Hostilities between the two Countries, which it was the obvious interest of America, and the express Wish of Great Britain to avoid.

Upon arriving at Halifax Prevost sent a sloop of war to the British minister at Washington with a letter announcing his presence in Nova Scotia, and a note in cipher making arrangements for the use of that code. He also sent a "respectable and intelligent Inhabitant of Halifax, first to Boston, then Washington, Norfolk, and New York, with the instructions contained in No. 1".[8]

This individual was John Howe of Halifax, king's printer in Nova Scotia. John Howe was born in Boston in 1754. Just before the Revolution he entered into a partnership with the widow of Richard Draper in the publication of the *Massachusetts Gazette*. At the time of the general evacuation on March 17, 1776, he withdrew to Halifax, but at the end of that year went with the British forces to Newport, where from January, 1777, until (probably) October, 1779, he published in the royalist interest the *Newport Gazette*. Settling at Halifax he began on January 5, 1781, the publication of the *Halifax Journal*, became king's printer, and later postmaster-general of the Maritime Provinces, also having charge of the important Halifax post-office. He died in 1835. To many he is best known as the father of the famous Nova Scotian statesman Joseph Howe.[9]

Upon Howe's return from his first mission it was deemed best to obtain further information, and he was prevailed upon to make a second trip, which lasted from November 10, 1808, to January 5, 1809. His instructions, with which the second installment of the

[8] Can. Arch., series M, 577 E, Prevost to Cooke, Apr. 27, 1808.

[9] James W. Longley, *Joseph Howe*, pp. 1–4; James H. Stark, *The Loyalists of Massachusetts*, pp. 361–364; Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution*, I. 548–550.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

papers here printed will open, were sent as queries to British consuls in both the northern and southern states.[10]

In conclusion it may be noted that Howe's report on the disposition of the eastern states was so satisfactory, as a result of his second mission, that on it Lieutenant-General Sir George Prevost decided to proceed on his expedition to the West Indies.[11]

DAVID W. PARKER.

I. GIROD TO WENTWORTH.

To Sir John Wentworth Bart.[12]

Report of a Journey to the United States of America.

Sir,

It having been represented to Admiral Berkeley that a considerable armament of Vessels and Troops was forming in the Bay of Penobscot, and it being deem'd necessary for the good of His Majesty's Service to ascertain the nature and extent of the preparations, I proceeded in the beginning of the Month of November 1807 at the joint request of his Excellency the Lieutenant Governor of Nova Scotia, of Admiral Berkeley[13] and of Major Genl. Hunter, commanding the Garrison of Halifax to reconnoitre the position of Penobscot now call'd Castine, situated on the Eastern shore of the Bay and about 150 miles from the eastern frontier of the United States, and having assum'd the character of a Swiss, I had an opportunity of examining the post, but found not the smallest appearance of any hostile preparations, there being at that time not more than five small vessels in the port, all of which were either loaded with wood or haul'd up on the shore; a single company of Militia of the town was the only Military force in that neighbourhood, these were, as I was inform'd, occasionally exercis'd to the use of the great guns, the fort situated at the extremity of the peninsula and commanding the entrance of the harbour, appear'd to have been long neglected, this fort built by His Majesty's forces during the war was always kept by them, the Americans having made an attack on it, were repuls'd with considerable loss. Having satisfied myself on this head, I proceeded according to the instructions I had receiv'd to take a view of the ports of Portland, Boston, Newport, Rhode Island, New York and Philadelphia, in neither of which, so far from finding any appearance of offensive operations, not even the slightest measures of defence had been undertaken; and on my return in the months of April and May 1808 everything was exactly in the same state in all the above ports, the summary then of my observations with respect to the naval and military situation of the country is, that there is not a single Frigate

[10] Can. Arch., series M. 577 B. Prevost to Craig, Nov. 19, 1808; *ibid.*, Prevost to Cooke, Nov. 30, 1808; Can. Arch., series M, 577 H. Hunter to Castlereagh, Jan. 9, 1809. The replies of the consuls are not at the Dominion Archives.

[11] Can. Arch., series M, 577 H, Prevost to Cooke, May 19, 1809.

[12] Sir John Wentworth (1737–1820), last royal governor of New Hampshire, lieutenant-governor of Nova Scotia from 1792 to 1808, when he was superseded by Sir George Prevost.

[13] Vice-Admiral George C. Berkeley, commanding on the Halifax station.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ready for sea, the *Wasp* and *Hornet* sloops being the only ships of war at present fit to go to sea, all the others being either refitting or laid up, there are about ninety Gun boats distributed in the different harbours of the United States.

The Militia is badly disciplin'd and still worse arm'd, and according to the present organization every man being oblig'd to furnish his own gun, they are form'd of different calibre.

The levy of 6000 regular Troops voted by Congress is recruiting with considerable difficulty, as may be suppos'd in a country where ordinary labourers earn a dollar p_r. day: there are no magazines of provisions [or] warlike stores, and they have no tents, nor the smallest appearance of any hostile preparation: such was the state of the country when I left it.

With respect to the general sentiments of the people, I am dispos'd to think them favorable to Great Britain, notwithstanding that the majority of the states continue to give their decided support to the Executive, by electing into the legislature such men as are known to have uniformly supported the measures of government; yet are we not to suppose that all those who from various motives have been induc'd to favour the Executive, are hostile to Great Britain, neither are we to imagine all those to be favorable to her interests who oppose the views of the President

The wounds receiv'd during the war are still felt by many who were more immediately exposed to the evils with which it was inevitably attended, and every means are resorted to by the government in order to encourage and increase this spirit of rancour and animosity, nothing is left unemploy'd that may tend to excite the public mind; every piece of exaggerated intelligence most calculated to inflame the public opinion, and rouse the feelings of the nation is industriously circulated; and until the effects of the Embargo be more generally felt by the agricultural part of the community, the President will undoubtedly be supported.

The determin'd hostility of the Executive to the Interest of G. Britain is too evident, yet in a matter of such magnitude so deeply involving the general interest of the nation, his indecision is equally manifest. A declaration of war against Britain, unless some new cause of dissatisfaction be given wou'd be odious and unpopular, and at this time would prove highly injurious to the interest of Mr. Maddison whose election to the presidential seat and which[14] he has very much at heart.

The President of the United States will however probably endeavour to throw the odium of a war on the British Government, and there is little doubt that the sloops of War and Gunboats that have lately arriv'd on the Eastern shore of this territory, have been sent in the hope that some serious difference may be excited in that quarter, although the ostensible motive of their coming was to enforce obedience to the Embargo law.

It was not in my power to enter deeply into the ulteriour views of the Government of America; the want of support of His Majesty's Minister during my residence at Washington did not admit of my forming those connections from which I might hope to derive any political information: for, it not having been thought prudent on account

[14] *Sic.*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the difficulties that might occur to me during my progress through the Country that I should have in my possession any document that might lead to a discovery of my real Character, I did not take with me any letter to the Minister, trusting that Admiral Berkeley as he assured me, would announce my arrival to Mr. Erskine, but no letter to that effect ever came to hand, so that Mr. Erskine himself was never perfectly satisfied as to the identity of my person, much less with respect to the motives of my journey to that Country.

Thus Sir, you will perceive that my views were in great measure frustrated; without the certainty of support from the Minister in case [of] difficulty, I did not proceed to Charleston and New Orleans, indeed my Instructions did not go so far, yet perhaps more useful information might be obtain'd there than in any other part of the Union.

I have the honor to be with the greatest Respect

Sir

Your obedt. and faithful Servant

WILLIAM GIROD

Lieut. 101st Regt.

HALIFAX Nova Scotia
28th May 1808.

Original.

[Endorsed:] Lieut. Girod's Report to Sir John Wentworth.

II. PREVOST'S INSTRUCTIONS TO HOWE.

To ascertain how far His Majesty's wishes are approved in the United States, and whether any and what measures could be adopted to re-establish and preserve a future good understanding between the two Nations?

To ascertain the strength of the federal and democratical Parties—how far the one or the other prevail in each state? which of the States are the most leading and influential?

State of Parties, to be attained, by their chusing of Governors, and canvassing for the Election of a President.

Should the decision of these Elections indicate a prevalence of the party hostile to Great Britain—endeavour to ascertain whether hostilities are likely to be immediate or remote?

What preparations for the War are making in America—whether Naval or Military?

What Success has attended the raising of six thousand Troops of the Line lately voted, whether 25,000 Militia, or any part of them ordered into immediate service, have been called into actual Service? and if so where are they stationed?

To attend the Debates of Congress, by which the President's intentions might in a considerable degree, be developed.

If any sudden indication of Hostility should appear, to arrange with confidential Persons the readiest mode of communicating it.

[Endorsed:] In Sr. G. Prevosts
April 1808
No. 1.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

III. Howe to Prevost.

Boston, May 5, 1808.

Sir,

I arrived here in the *Emulous* the 22d Ult. on which Morning, I proceeded with Lieut. Garbett, to the Town; and on landing, went with him to the Custom-House, when he delivered a very proper Letter from Captain Stupart, to the Collector, in which was stated that he was the bearer of Dispatches to Mr. Erskine, His Majesty's Minister at Washington, and expressing his Wish to be permitted to discharge this duty in perfect conformity to the Directions contained in the President's Proclamation.

The Collector[15] received us politely, and without a minute's hesitation, expressed in the fullest manner his acquiescence in Captain Stupart's desire, and said he might land with the Dispatches when he pleased. I then stated to him that I had come as a passenger in the *Emulous* on a visit to my friends, and requested permission to land my Trunk, and would thank him to direct a proper Officer to inspect it. He replied, that was quite unnecessary, and I might land it when I pleased. Having thanked him for his politeness, we left the Office. But on a little reflection, we agreed to return to the Custom-House, and make another request, which if granted, would leave us, while the ship remained here, in full possession of all the indulgence that was necessary either for duty or convenience. We expressed a wish, that the Boat which would immediately return to the Ship, should be permitted to take from the Market such Articles of Provision, as might now, or during her stay, be wanted. This the Collector also, most readily granted, and from that period to the present, the Purser has had as ready access to the Market of Boston, as he could have to the Market at Halifax.

Captain Stupart landed with his Dispatches next Morning; and every day afterwards, a part of the Officers were on shore, and permitted to go where they pleased. They have been in every instance received with politeness, and the mutual acts of Civility which have passed, will I am convinced, be attended with the happiest political effects. And I cannot help here remarking, that the experiment thus made of the present feelings of this Section of the American Union, could not have been committed to an Officer more completely fitted to the task than Captain Stupart. His uncommon suavity of Manners have rendered him agreeable to every description of the Community with whom he has occasionally mixed, and such is the strict, yet pleasing discipline of his ship, that while Officers and Men look up to him with the most marked respect, he has excited their utmost veneration, and they appear studiously proud to imitate his correct and orderly manners. I am convinced that good will result to both Countries from the reciprocal kindly intercourse, which has so freely taken place between Captain Stupart, his Officers, and the inhabitants here. I should not have so fully noticed this circumstance, was it not from the conviction, that as things trifling in themselves, have often led to the most serious contests among Nations, so by circumstances, aparently full as trifling, have these contentions been brought to a happy termination. And I am convinced, if care is taken, while the present jealousy sub-

[15] Henry Dearborn.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sists between the Countries, to select temperate, judicious persons to hold such communications as may be necessary, and circumstances that would lead to irritation are carefully avoided, that the period is not far distant when a friendly intercourse will be renewed between the respective Countries.

A day or two after my arrival here, I was attacked in a violent democratic Paper, which your Excellency will find among the Papers enclosed;[16] but it excited no other sensation here than general contempt, and the Federal Printers were preparing to attack the Editor, which I was obliged to take pains to prevent, as it was altogether inconsistent with the object of my pursuits, to excite, in any degree the public attention towards me.

I have, from the day of my arrival been treated with the utmost kindness, by all descriptions of the community; have conversed as freely on all topics, as I could have done in Halifax, and have without restraint gone where I pleased, and viewed what I pleased.

On our entrance into the Harbour, the first noticeable object that strikes the eye is the remains of two Redoubts which appear to have been formerly erected to defend the Entrance into Nantasket Road. They appear in a perfectly ruinous state, and are at present not calculated to be considered of any defensive use whatever. As we passed Fort Independance (formerly Castle William) slowly in the Boat, I had a good View of the Fort, and am convinced from my own observations, and the enquiries I have since made, that though much money has been expended on it, it is inferior as a defensive post to what it was when in our possession.[17] Its garrison consists of about 50 Men commanded by a Major. This gentleman expressed to a friend of mine his wish to invite Captain Stupart and his Officers to dine at the Castle, but thought in the present state of parties in the Country it would not be prudent to do it. On one or two Islands and at Dorchester Heights are to be seen the remains of Redoubts, which were thrown up during the Revolutionary War, and which appear in that state of ruin which such a lapse of time is calculated to produce. After examining all the Heights calculated for defensive positions in or about the Town, there is nothing to be seen, but the remains of Works in a state of Ruin, no guns mounted, nor any appearance whatever, that could lead to the most distant idea that they either contemplated war, or were wishing to be prepared for it.

The great number of new and elegant buildings which have been erected in this Town, within the last ten years, strike the eye with astonishment, and prove the rapid manner in which these people have been acquiring wealth. The revolutionary situation of Europe, has made them the most exclusive [extensive] Carriers of the Powers at War with Great Britain—their extensive Fisheries and Lumber Trade, with a great surplus of Provisions and other staple commodities for exportation, which they have been permitted, almost without restraint, to carry to Great Britain and her Islands, have filled them with that Wealth the

[16] Efforts made to identify this newspaper article have not been successful.

[17] A report on fortifications which the Secretary of War sent to the House of Representatives on December 8, 1807, records as follows: "Fort Independence, Boston Harbor. A regular, strong, inclosed work of masonry, with magazine, quarters, barracks, and other buildings, commenced in the year 1800 and completed in 1803." *American State Papers, Military Affairs,* I. 223.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

operative effects of which are so visible in every direction, that they cannot fail most forceably to strike the eye of even a superficial observer.

In proportion, however, to this appearance of Wealth and prosperity, is the state of suffering they are at present reduced to. Before the Embargo, not a House or Store remained long unoccupied in this Town. It is now computed that there are at least 500 Stores and Houses to let, as the late occupiers of them have been either obliged to go into the Country, or to turn their attention to other pursuits, than those they were engaged in for support. Wharves where immense bustle were visible before, are in a manner departed. Trademen particularly those whose employments depended on Shipping, are suffering very severely. All descriptions of the Country are more or less effected, and you scarcely meet a person who is not complaining: And yet they appear to endure it with a degree of philosophy that is really surprising in a Country where the actions of Men are under so little restraint.

Distressing as is the situation of this country occasioned by the Embargo, it is producing the very best effects as respects Great Britain. Every one feels that he suffers, and he is daily led to enquire, Why he thus suffers, and who are the authors of his sufferings. The unqualified and frank disavowal in His Majesty's speech of the attack on the *Chesapeake*, joined with the temperate expressions contained in the Speeches of the leading Members of our Administration in Parliament, and the general friendly communications of Mr. Rose, are gradually establishing in the minds of people here, the conviction, that Great Britain does not wish to disturb their tranquility: and though as far as respects the point on which the negociation finally terminated, they seem to have a general coincidence in opinion with the President, yet I am satisfied that the wish is general, that some compromise could be adopted: and on general politics they appear more disposed to blame their own Government than ours.

Great as are the distresses of the merchants here, they are trifling to what they have suffered at New York, where Bankruptcies are innumerable, and to immense amount. Only three or four failures have taken place here, and those not of much magnitude. Great quantities of British Goods are to be seen in the innumerable stores in this Town. As the intercourse is stopped by the Embargo, these goods are rising, in some instances from 10 to 20 per cent., and I am satisfied that as far as respects the debts due here to British Merchants, there will not ultimately be much loss. The most general distress in this State, has taken place at Portland (formerly Casco Bay). This Settlement has carried on an extensive Lumber Trade with Liverpool, besides its supply of Fish and Lumber to the West Indies. They were rising most rapidly from the credit of the British Merchants, and pushing their Enterprises beyond the extent of any capital they had acquired, and to the very utmost extent of the Credit they could obtain,—the Embargo has paralized all their efforts, and involved them, with very few exceptions, in one general state of ruin and bankruptcy. All the Commercial Towns in this State have more or less suffered by this ruinous measure, but, none to the extent that Portland has done.

Your Excellency will perceive by the Papers, that though Governor

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sullivan has succeeded in his Election,[18] yet that he will carry it by a very trifling majority, and when the respectability of the Party which opposes him is taken into consideration it affords to their opponents no real ground of triumph: For in mixing with this Community it readily strikes every one that the wealth, talents, and national ideas of Government centre almost exclusively in the federal Party. A large proportion of the Democrats, with whom I have freely conversed, appear as much opposed to the present measures of the Government as their opponents, but considering Governor Sullivan as the head of their party here, they have exerted themselves to effect his re-election, lest his failure, should involve the party in disgrace. But though it is considered from the Votes returned, that the re-election of Governor Sullivan is certain—yet the Federalists have succeeded in obtaining a Federal Senate, and a great increase of Federals Members in the Lower House. And they consider this as establishing such a check on the measures of the Democratic Party as will paralize, if not defeat them altogether. On the whole therefore, the Elections have afforded triumph to the Federal Party, which the ruinous effects of the Embargo are every day strengthening. The irritation against Great Britain is fast wearing off, and the most anxious wish appears to be a renewal of the commercial Intercourse between the Countries. If therefore the Business of the *Chesapeake* was once removed out of the way, and some mode could be adopted to discriminate between the Seamen of both Nations, I believe a greater cordiality would soon take place than at any period since the Revolution. The present suffering of this Country, though a temporary inconvenience, will, I am convinced, be ultimately very beneficial to Great Britain. They feel how necessary her friendship is to their prosperity. A large proportion of them begin to reason justly of the motives of self-defence which induce Great-Britain to issue the restrictive orders she has done; and they appear much alarmed at the increasing Power of Bonaparte.

In the Papers I have the honor to enclose, your Excellency will perceive that the original measure of Embargo has been followed by a multitude of other restrictive Acts, to make this destructive measure more general and effective.[19] These additional Acts have been occasioned by a knowledge, that at New Orleans, Passamaquaddy, and the American Territory contiguous to our Settlements in Canada. Flour and every Species of American produce were finding their way to the British and Spanish Territories. Instead, however, of these Acts producing the smallest check to the exportation of those Articles which we need, the Trade to Passamaquaddy, has been almost the only trade carried on since I have been here, and the Quantity of Flour and other Articles shipped there have been immense. A few days ago the Custom-House, after receiving the last restrictive Act, took back the Papers from two or three Vessels that had cleared out from Passamaquaddy. This excited a Clamour against the Collector, as the owners in making their Shipments, had not, as yet, violated either of the Embargo Laws, though the nature of the Shipments, and the place to which they were going, left no doubt as to the Market they were designed for. I have

[18] James Sullivan was re-elected governor of Massachusetts in April, 1808, by a good majority, but with a small Federalist majority in the senate and house of representatives.

[19] Acts of January 9, March 12, and April 25, 1808.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

had many questions asked me relative to this Trade by Merchants here, who have great Stocks by them, and are suffering severely. As the Shipments made to Passamaquaddy, have drawn the attention of the Government to that Quarter, I have advised them to make their deposits on other parts of their extensive Coast, where no alarm is excited. They have taken this hint, and I am convinced that Shipments in all directions, and of every Species of Articles that our Government may think it necessary to encourage the importation of, will find their way into our Territory. While Congress remained in Session, a hope was entertained by the Merchants here, that the Embargo would be taken off, and the majority of them were patiently enduring the evil, in hopes it would not be of long continuance. But as Congress has now adjourned until November,[20] and there are on Hand immense quantities of Fish which will perish as the warm weather comes on, I find within these few days that many of them have begun to pack dry fish in Hogsheads, and are determined to find means of sending it to a Market. Many individuals who have these perishable articles on hand, will be ruined if they do not take these measures to extricate themselves: and were there a thousand Embargo Laws, they would have no effect in restraining them. On the whole, I am satisfied there are no Articles of Provision, nor any Species of Naval Stores which this Country produces that may not easily be procured, if it was once known, to what extent they could be admitted into our Colonies,[21] and what facility and security could be given to enterprising men here, who would exert themselves to introduce them.

As far as respects military preparations in this Country, there are none whatever. In the early part of the late Session of Congress, the President recommended calling into actual Service 25,000 Militia and the raising 6000 regular Troops. After much discussion, and a variety of projects for carrying these measures into effect, Congress has at last, negatived the proposal for calling into Service the 25,000 Militia. A Bill has passed for raising the 6000 men, and recruiting parties are daily expected in the New-England States; but the best informed men here, assure me, that very little progress will attend their exertions in this quarter. It is generally looked upon as a very unnecessary measure, and there is none of that enthusiasm here, that would be calculated to contribute to its success. Those who are most sanguine as to the success of the recruiting Parties, do not think it possible to raise the 6000 men contemplated within a year. It is supposed the President, who appoints the Officers, has more in view by the exercise of his patronage, the increase of his Party, than any other object whatever. There is therefore as far as respects hostile preparations, nothing taking place in this Country, at present, to excite the smallest alarm in His Majesty's Government: and as Congress is now adjourned to November, there are no material measures that can be adopted, that could have any effective tendency.

The Presidents real object in the Embargo, has undoubtedly been to league with France, as far as he dare, in general measures for the destruction of the Commerce and Maritime resources of Great-Britain.

[20] Congress adjourned April 25, 1808.

[21] Orders in Council of April 11, 1808, ordered British naval officers and other officials not to interrupt any neutral vessel which was taking lumber or provisions to the British West Indies.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

But as Philosophers in general make wretched Politicians, so has he totally miscalculated his measure and the effects it would produce. In his endeavours to injure Great-Britain, he has reduced this Country to the utmost state of suffering. These sufferings will increase as long as the Embargo continues, they have already greatly influenced the Elections, and if no new circumstance of irritation takes place on our part, and His Majesty's Government steadily and quietly pursues its present system, I am convinced the most beneficial effects to both Countries will ultimately result.

I have been at Marblehead and Salem. These Towns are much divided in their politics. At Marblehead their extensive Fishery is all at a stand, and the Vessels usually employed in it, laying useless in Port. Two Companies of Militia Artillery were under Arms, the day I passed there, it being their training day. The Officers affect an imitation of the French in their Uniforms; but the general appearance of the Companies, had nothing whatever about them, to excite any other than risible sensations. Several Militia Companies have paraded since my arrival in Boston: But the best of them appear to me inferior to the Militia Light Infantry Company of Halifax.

At Salem a great number of valuable Vessels are laying at the Wharves—Business of all kinds totally suspended, and in passing the whole extent of the Margin of their harbour, I could scarcely find a seaman. They have gone among their friends in the country. Very few who have the appearance of British Seamen are to be seen either here or at Boston. This Town is filled with India goods. The Trade which Great Britain has allowed them at Calcutta, and other of our Ports in India, and their Trade with China, and the North-West Coast of America, has made them generally rich. No bankruptcies have taken place here, in consequence of the Embargo, nor are any expected. There is no Sea-Port in this State where there is a more general appearance of wealth, and where the Merchants are so completely independent.

I would have visited the State of New-Hampshire, but being satisfied from the best information, that there were no Military preparations there, or in any part of the Eastern Country, and nothing to excite the attention to any of your Excellency's objects, I thought such a journey would be useless, and have therefore omitted it.

As the information from Washington after my arrival here satisfied me that I could not reach it before the rising of Congress, I thought it better to linger here until the *Emulous* was ready to return to Halifax.

Besides these observations which I have in a desultory manner committed to paper as they occurred, your Excellency will find a general state of the Politics of this Country in the Papers and Pamphlets enclosed. Among these Mr. Pickering's[22] and Mr. Monroes[23] Letters have produced very general and valuable effects. There are in the Federal Papers many excellent observations, and those Papers are generally supported by the Wealth and Talents of the Country.

[22] *A Letter from the Hon. Timothy Pickering, a Senator of the United States from the State of Massachusetts, exhibiting to his Constituents a View of the Imminent Danger of an Unnecessary and Ruinous War, Addressed to his Excellency, James Sullivan, Governor of the State* (Boston, March 9, 1808).

[23] Monroe's letter of February 28, 1808, to the Secretary of State. *American State Papers, Foreign Affairs*, III. 173.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I shall now proceed without delay to the Southward, and shall not fail to communicate to your Excellency, every thing that occurs, worthy of Notice, from any place where I can, with safety transmit my Letters.

I cannot however close this Letter, without noticing to your Excellency, that I have experienced every attention from Mr. Allen,[24] the British Consul here, that I have found him active and intelligent, warmly attached to Government, and that your Excellency may at all times with confidence rely on his zeal and ability.

I have the honor to be
Your Excellency's
Most obedient
Humble Servant
JOHN HOWE

[Endorsed:] Boston 5th May 1808
Mr. John Howe
in Sir George Prevost's
20th May 1808

Original.

IV. HOWE TO PREVOST.

Extract of a letter from Mr. John Howe dated New York, 31st May 1808, to His Excellency Lieut. General Sir George Prevost.

I lost no time after closing my last letter, in proceeding through the Western part of the State of Massachusetts and thro' the State of Connecticut. Though no very material circumstances arrested the attention in this progress, yet I was highly gratified in meeting with people in all directions, and of all descriptions manifesting a most decided wish for a reconciliation with Great Britain, and reprobating the measures of the President. His Embargo pinches alike the Farmer and the Merchant. If I was gratified in finding such a disposition in Massachusetts, this gratification was much increased as I progressed through Connecticut. Here they speak upon the subject with a degree of boldness that astonishes me, and many of them even lamenting publicly that ever they were separated from Great Britain. Their Elections this year, as they have been, are decidedly Federal. Great pains have been taken to fix democratic printers in the principal towns in Connecticut, to change if possible the public opinion: but the general opposition to them has been so great, and they have been so severely prosecuted for libels, that they have soon been obliged to transplant themselves to a more congenial soil.

Another artifice to corrupt these people, is to introduce French Schoolmasters in the Country Villages where there is any considerable population, under a pretence of teaching the French Language. One of these was attempting to fix himself at Litchfield when I was there. But the honest indignation of these people soon convinced me, the French will never become the universal language there. This idea of making the French language universal, which was suggested by Colbert, the Minister of Louis 14th, is pursued by Bonaparte with great zeal in this country. A plan for the more expeditious teaching of this language, has been lately sent free of expense through all the Post Offices in these States. It was shewn to me by one of the Postmasters, and among

[24] Andrew Allen, grandson of Chief Justice Andrew Allen of Pennsylvania.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other extraordinary ideas, peculiar to Frenchmen, it states, that the design of this plan was "*to bring the French language home to every man's door*". What rendered the forewarding of this plan, free of expense, through the Post Offices, more noticeable to me, was that it was easy to see in it the readiness of the Executive of this Country to forward the most extravagant wishes of the Emperor of France. For there never was a country, in which Executive influence had shewn itself so plainly, as in the establishment of the Post Office. All the Federal Postmasters have been turned out, and the whole correspondence of the Country placed in democratic hands, and I find cautious people here, are many of them afraid to trust political communications through them. Frenchmen may however not only trust them, but the most extravagant plans of their Government be disseminated through the Country free of Expense.

The Emissaries of Bonaparte are numerous in this country and the extreme licentiousness with regard to Government, which prevails here, furnishes them frequent opportunities to do mischief. By Emissaries like these, has he everywhere prepared the destruction of the Nations of Europe. And yet it seems as if nothing will effectually open the eyes of Men to the mischievous subtilty of his proceedings.

There has nothing turned up since my arrival in New York deserving of notice, except the burial of the bones of persons, who during the time His Majesty's Troops had possession of this city, were buried at the Wallibout. These bones consisted of some of our own Troops and Sailors, and occasionally some of the men who died out of the Prison Ship. The Bank having washed partly away uncovered some of the bones. The Democratic party, as an Electioneering trick, and to revive the ancient enmity to Great Britain, seized upon these bones, as belonging to American prisoners, who through cruelty had perished on Board the Prison Ship. These Patriots set to work with zeal, and actually dug up as many bones as have filled 13 Coffins, and with the most ridiculous parade, after proceeding through the principal Streets of the City, as Your Excellency will perceive by the Papers, crossed Brooklyn Ferry, and proceeded to the place of interment, where they closed the Farce with prayers and orations equally profane and ridiculous.[25] Few persons of real character attended this cavalcade, though it suspended all business in the City for the day. The Governor[26] expressed to his friends his disapprobation of it, but was obliged to join the Farce or sacrifice his popularity. General Morton who commanded the Troops on the occasion, was I understand equally averse to it. He had in his general orders on the occasion, which are among the papers sent, endeavoured to take off the edge of this measure, as designed to revive animosities, which ought to be forgotten.

When I observe the licentiousness of this country, their continual recurrence to Elections, the manner in which all the Officers of the Government are obliged to cringe for popular favor, which gives and strips them of all their consequence in a moment, I cannot help experiencing the most pleasing sensations on reflecting that I am a subject of Great Britain, whose inestimable constitution, defines and secures the rights of all descriptions of Men, and the Acts of whose dignified execu-

[25] See *An Account of the Interment of the Remains of 11,500 American Victims to the Cruelty of the British* (New York, 1808).

[26] Daniel D. Tompkins.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tive, originate with a Sovereign, who loves and is the Father of his People.

In my letter of the 5th, Your Excellency was apprized of the great change in political sentiments which the Embargo was operating in Massachusetts. By the papers I now enclose, it will be seen that this change has already produced effects more rapid than I contemplated when I left Boston. That both Senate and House, have become decisively federal, and that they are already adopting resolutions of the most plain and decisive nature. Mr. Jefferson has plunged himself into such a situation, he dare not suspend the Embargo: for though Congress passed a Law to give him a suspending Power he refused his assent to the Act,[27] and nothing can be clearer, than that if he does not do the Act away by some means or other it will totally destroy both his influence and that of his party.

[Endorsed:] In Sr. George Prevosts
18 June

V. Howe to Prevost.

Extract of a Letter from Mr. John Howe to His Excellency Lieut. General Sir George Prevost, dated New York 7th June 1808.

On my arrival at New York I found the election for the City had terminated, and unfavorable to the Federal Ticket.[28] And though complete returns are not yet made throughout the state, there is reason to think there will be a majority in favor of the Democratic party. Yet it is gratifying to find that the operation of Mr. Jefferson's Embargo measure has not been without great effects here, by the comparatively small majorities with which these Elections have been carried in many districts, and the entire change of sentiments which have been manifested in others. And it is the opinion of well informed men, that if these Elections could have been delayed a month or six weeks, they would have terminated very differently from what they have done. One great and fatal effect on the elections in this city, arises from the immense number of foreigners among them. These men acquire power to Vote after a residence of five years. Among persons of this description are nearly 7000 Irishmen, who tho' many of them have been here but a short time, make no scruple to come forward and sware for each other. Emmet[29] is at the head of these men, and is their prime mover and conductor. There is an Irish Society to which they generally belong, one of the rules of which is, that every member on pain of expulsion, shall follow implicitly the political sentiments of the Society. Every days experience shews, that men who will be restless and intriguing under one Government, will be so under every other. A great part of the Intrigues which agitate this country, originate with men whom the Nations of Europe have been compelled to spue out from among them, and wherever they get a footing, they will be a perpetual source of disease to the body politic. Their having obtained footing in this country is openly lamented by the best men here: but they have become so numer-

[27] An error. See p. 91, *post*, and note 32.

[28] DeWitt Clinton had just carried the city in support of the administration. In the state no election for governor was to take place this year.

[29] Thomas Addis Emmet (1764–1827), a brother of Robert Emmet.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ous they do not know how to counteract the mischiefs they are continually effecting. Another evil which has attended their Elections here, has arisen from the following circumstance. When the democratic party a few years ago obtained the ascendancy, they found a number of the Counties so decidedly federal, that they carried a law in the legislature for a new division of Counties, and in this way they mixed where they had a super-abundance of democrats, some of these in the federal districts so as to over balance the party and establish more generally their power, and in order to accomplish this object, they have effected the most unnatural division of counties that could possibly be imagined. I mentioned to your Excellency in my letter by the *Emulous*, that the only measure of a Military nature, which Congress had agreed to, was to raise 6000 Regular Troops, and that recruiting parties were expected at Boston. Since my arrival here, I find that all that has as yet taken place, to carry this measure into effect has been the appointment of the Officers by the President. No Officers have yet come forward to recruit, and it is now very probable that the season will elapse before anything effective is done in the business. Various plans have been projected for fortifying this harbour, but nothing is doing towards it, except some further works which are constructing on Government[30] Island, where they intend erecting a block-house. The general opinion here is that all they are doing is a perfect waste of the public money. I visited a few days ago their Navy Yard. I found here the *Constitution* one of their largest and best Frigates. They have been stripping her sides to the water and have again planked her up, and I imagine in two months she may be fit for sea. I am informed by a gentleman on whose information I think I can rely, that when she was paid off here and her Men discharged, there was not twenty American sailors belonging to her, that her whole crew with the exception of a few other foreigners, was entirely composed of british seamen. Besides this frigate there were lying at the Yard two or three Bomb Ketches, and there are also lying there, and in different parts of the harbour about twenty Gun boats, which appear to me much to resemble our Bermuda Cutter-Schooners, though I think them in size and appearance much inferior to them. These Gun boats are a just subject of ridicule to Men of sense of all parties here. There are Cannon in the Navy Yard for the equipment of three or four frigates. There is also in this Yard laid the keel of a 74 Gun ship, but no steps are taken for her completion. About 100 Marines were under Arms, and exhibited a very soldierly appearance. The Fort on Governor's Island has a garrison of about 60 continental Soldiers, and this is everything of an established Military nature to be found here. Several Regiments of Militia have at times been under Arms since my arrival here, and a company of Light horse. These have been dressed in Uniforms and appear in better order than any Military Exhibitions I have seen in any other part of the States. In the gaudiness of their Uniforms, and in their manner they have a wonderful disposition to imitate every thing French, and if they have not the military talents of that nation they certainly shew they are not behind hand with them in vain or tinsel quality. The French Privateer which lately took the *Duke of Montrose*' Packet in the West Indies is now here and refitting. She mounts 8 Guns, besides a large Gun in the centre which works on a traverse. Two gentlemen have arrived here

[30] Governor's?

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

from Philadelphia, and entered a prosecution against the Captain for his piratical proceedings, and they have actually succeeded in getting him into Gaol. He has offered Bail, which they have refused to accept, and it is said he must remain in Gaol until their Court sits in November. Several of these french privateers have been lately on their coast, and it would be a gratifying circumstance to the federal party here, if our Cruizers could pick them up. One lately sailed from Philadelphia and was permitted to take away a considerable quantity of flour and other Articles, which are refused to every other nation.

Every step I take in this country, and the various conversations I have had with men of opposite Sentiments in it, convince me more and more that the termination of Mr. Rose's mission without effecting its object was the most fortunate circumstance that could have occurred. My reasons for this opinion are as follows—

1. Had the satisfaction offered by our Government through Mr. Rose have been accepted, and the Embargo in consequence removed, such is the extreme pressure of this measure, it would have been every where received as the greatest boon, and would have added in the greatest degree, to the popularity of the present Administration. It would have insured to Mr. Madison the Election to the Presidency, and the continuance of the same system that is so ruinous to this country, and so injurious to Great Britain. And they shew these propensities in all their public Acts: and they would shew them plainer were they not afraid of the Sovereign people. It is therefore the manifest interest of Great Britain that Mr. Jefferson and his confidential friends should be removed from the Administration of this Government if possible.

2. By the rejection of the satisfaction as tendered by Mr. Rose, Mr. Jefferson and Mr. Madison put their popularity to the test of public opinion. And there was a time in this country when a degree of popularity did attach to this Government for the part it had borne in the negociation. In conversing with Federalists or Democrats, I find a universal accordance in opinion, that in the correspondence between Mr. Rose and Mr. Madison, the strength of the argument on which the point ultimately turned, was with Mr. Madison, and that he had in his reasonings discover[ed] more ability than Mr. Rose. And if our Government could have been persuaded either by Mr. Madison's reasonings, or by his non-importation or Embargo Acts to relinquish the point of honor in question, the pride of all parties here would have been highly gratified. But when the sophistical reasonings of this Government were thrown out of the question, as they have completely done by their favorite measure of the Embargo, which they affirmed would soon bring Great Britain to her senses by starving her Manufactures, and her West India Islands; since it has fully appeared that none of these wonderful effects have been produced by it, the popularity of the Administration has been on the Wane, and it is now nearly reduced to a certainty that Mr. Madison will not be the President. Whatever lack of argument is therefore to be found in Mr. Rose's communications (and I own I think them in several respects very deficient) this ruinous measure is superabundantly supplying. It is that *Argumentum ad hominem* which seizes the man with irrestible force, and bears down all before it. Upwards of 80 houses in this city have already been reduced to bankruptcy by it. 500 Sail of Vessels, the greater part Ships and Brigs, are lying useless by the wharfes of this City. The ruin of thousands yet hangs by this de-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

structive measure. The Merchant is hourly complaining. The Farmer is complaining. The Mechanic and Labourer is complaining. The Carmen of this City which are a very numerous body are loudly complaining. In short this evil entwines itself around every body, and every body is railing at the Embargo. They have got into a scrape, and they see no way to get out of it. And yet to do the people justice they have borne their sufferings with much philosophy. But if Mr. Jefferson continues this experiment a few Months longer it will to a certainty prevent the Election of Mr. Madison, and introduce at least some change in the present system. And almost any change of them would be more favorable to Great Britain than the continuance in power of the present rulers. For though I have no opinion of some of the other candidates who are striving for the Presidency, yet if they are brought into power by the pressure of the Embargo on the public feelings, they dare not risk their popularity with the Sovereign people by continuing it. Another reason which would render the introduction of new Men desirable, is that the present men have largely committed to paper their public opinions, and men get so insensibly wedded to opinions once so expressed, that it is difficult to overrule their prejudices. New Men would not labour under that difficulty; and if they were men of sense and political observation, they would not be very desirous of pressing measures which had involved their country in misery, and which measures were predicated as doctrines, which our Government have again and again declared to be inadmissible. Should a change of men and measures take place in this country, and which their present sufferings render highly probable, I do not conceive that any material injury would occur in adjusting the very point on which Mr. Rose parted with this Government. For it seems to me that this might be done by letting our disavowal of the affairs of the *Chesapeake*, and the withdrawing the President's proclamation take place at the same time precisely. And that an idea of this kind occurred to Mr. Madison, is evident, by the following Extract from his correspondence with Mr. Rose, where he says, "But adhering to the moderation by which he has been invariably guided, and anxious to rescue the two nations from the circumstances under which an abortive issue to your Mission necessarily places them, he has authorized me in the event of your disclosing the terms of reparation, which you believe will be satisfactory, and on its appearing that they are so, to consider this evidence of the justice of His Britannic Majesty as a pledge for an effectual interposition with respect to all the abuses against a recurrence of which the Proclamation was meant to provide, and to proceed to concert with you a revocation of that Act, bearing the *same date with the Act of reparation* to which the United States are entitled". And I am fully of opinion, that such a change is operating on the public mind here, as will in a few Months lead to such a change of Men and measures, as will render a reconciliation between Great Britain and this country easily attainable upon the footing of that perfect self respect which alone can render a reconciliation permanent or desirable. There is no Man who reads attentively the numerous charges brought by Mr. Madison in his correspondence with Mr. Rose, and the insolent pretensions urged, not only in that correspondence, but in all the public papers, which have come from the pen of Mr. Madison, but must be convinced that no real reconciliation could have taken place even if Mr. Rose had accomplished the particular object of his

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mission. Never was there a measure of our Government more deserving of the thanks of the nation, than the late proclamation, declaring His Majesty's determination to take our Seamen from Merchant Vessels, whenever we can find them. And this determination neither Mr. Madison or Mr. Jefferson will ever forgive. It has at once struck at all their insidious reasonings on this important subject, and stripped them of the means of injuring our Naval Strength, which their servile accordance with the Wishes of Bonaparte, has led them unceasingly to rush to accomplish. It was a great pleasure to me as I traversed the New England States, to find a general disposition to relinquish these pretensions, and to admit the justice of the reasons, on which our Government reclaims its subjects. At Salem particularly I not only found them acquiescing in our right, but they assured me, they had entered upon a practice corresponding with it, by refusing to take any of our Seamen in their Vessels. For when they had done it, they had been frequently been taken out by our cruizers, and their Voyages thereby marred. As therefore they knew they had no real claim to the services of these Men and as they had suffered a real injury by taking them, they were determined to confine their crews, to their own people.

I find many here who do not pretend to deny our right, but who would have been highly gratified if Mr. Madison's sophistry on this important subject could have prevailed. A subject of so much importance that I sincerely hope that our Government will never again suffer it to be brought into discussion. This leads me to another reason why Mr. Rose's mission is of benefit to the nation.

3. While the negociation was pending, there were in this state and the other Southern States thousands of British Seamen whose services were lost to their country: And they would have continued lost to their country, if the negociations had succeeded. For this Government never would in sincerity have lent its aid for the recovery of them. Since the Embargo which has thrown them out of employ, they are getting away from this country in every Vessel they can, to His Majesty's dominions, and I am convinced, if the Embargo continues Six Months longer very few of them will be found in this country. As an attention to this important subject was recommended to me by your Excellency in consequence of a Letter from Capt. Douglas, I shall make a separate communication to your Excellency, in which I shall point out the best means that have occurred to me, for giving facility to this object.[31]

4 This country has long both rulers and people entertained an idea, that Great Britain and her Colonies, particularly her West India Colonies, could not do without them. And so fully was Mr. Jefferson possessed with that idea, that he conceived his foolish embargo measure, would inflict such an injury on us, as would soon compel our Government, to give up the order relative to seamen, the respective orders, founded on the Milan decree to punish without enquiry any of our Officers whose conduct they saw fit to call in question, and in short that it would compel the nation to relinquish its sovereignty on the Sea, and to become as contemptible as they would delight in rendering her. In this expectation, and to co-operate as far as they dared with Bonaparte, in his attempts to destroy the Commerce of England this Embargo was laid. That these were the manifest intentions of this Government, every man of sense here readily admits. But every mischief Mr. Jef-

[31] See no. VI., *post*.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ferson calculated, as it respected Great Britain, has been averted, and the whole pressure of this mighty evil is every day operating with increased effect on this devoted Country, and will each day bring its effects closer home to him and his coadjutors.

In our happy Colony of Nova Scotia, and our neighbouring colonies, we have been long complaining, that our fisheries were injured by giving to these people the free intercourse they had with our West India Islands. We have constantly affirmed, that as far as respected fish, our settlements and those of Newfoundland could furnish all that was necessary. These people have denied this, and our West India Planters, have joined in the clamour. This Embargo is giving an opportunity to try the experiment, and I have no doubt, but the exertions of our Fishermen, and Merchants will prove what we have contended for to be correct.

They appear much mortified here, when I tell them, that we consider the Embargo a great blessing in Nova Scotia, and that we think the Bill should have been entitled "An Act for the better encouragement of the British Colonies in America".

They frequently ask me very anxiously, if I do not think her Government will soon be induced to take off the restrictive decrees, if our Manufactures are not suffering very severely, if we are not starving for Flour in the West Indies. I assure them very gravely that our Manufacturers have new sources open to them in the trade to the Brazils, St Domingo and other Channels which our Navy is continually opening, that the restrictive decrees will not be removed as long as the cause exists which produced them, that flour is flowing in every day, not only for our own wants but for exportation, That I am convinced our Government will give them no interruption, and that they will be left as long as they pleace to amuse themselves with their Philosophical Embargo Experiment. They are becoming every day more and more convinced that Great Britain and her possessions can and will do without them. That though it is confessed they take off a considerable quantity of our Manufactures, yet that the raw Materials we have been accustomed to take in return, we can procure elsewhere; and if by a long continuance of the Embargo, we all [are] compelled to seek to other countries for them, it may so alter the course of trade in these respects, as to make it very doubtful if it will ever again return to the same channel. Their Southern Cotton, which found so excellent a Market in Great Britain, and the Sales of which was making such rapid fortunes to the Planters in Georgia and the States contiguous, would not a few days ago produce at Auction Ten cents per pound, when the Merchants here assure me, before the Embargo it found in the City a ready sale at 24. The prices of all Articles we have been accustomed to take from them, are reduced in nearly the same ratio. Besides the injury the Embargo is daily heaping on this deluded people, all the accounts received here from the French Islands shew that they are reduced to extreme distress for want of provisions. At Guadeloupe flour was 90 dollars a barrel and hardly to be procured at that. So that the measure which was to ruin England, turns out a source of great and universal affliction to all Mr. Jefferson's dear friends whom he intended should be benefited by it. There is no doubt now entertained by any person here, but if they knew how to effect it, their Government would be glad to get rid of it. Congress passed a Law to empower the Presi-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dent to suspend this Act. It had been generally supposed that the President had refused his assent to this Act—he had hesitated about it, but it now appears he finally agreed to it; and the day I closed my last letter to Your Excellency it first made its appearance.[32] But this Act is not calculated to remove the difficulty, as the power to suspend the Embargo Laws rests solely on the previous removal of the restrictive decrees of England and France. And sincerely do I hope that no step will be taken by our Government to help Mr. Jefferson out of this difficulty. Our Government can at present do nothing better than to look quietly on, and let Mr. Jefferson pursue his own measures until he is tired of them. And if his patience should not be very soon exhausted I am convinced his *masters, the people,* will at no great distance of time satisfy him that they will not bear such extreme and useless sufferings with impunity. While I express a wish that our Government may take no step to remove Mr. Jefferson's present difficulties, I at the same time hope, that no new cause of irritation will take place on our part, and that our Cruizers, instead of going to the extent of their orders, may discover as much forbearance as the good of the service will possibly admit of. Any more irritation on our part is the only thing that could revive the dying popularity of Mr. Jefferson's measures. If we remain quiet, and his Embargo continues much longer, all will end right at last. It may take some time to remove the disease, but I am convinced the cure will be more radical.

5. The failure of Mr. Rose's Mission has also had the beneficial effect, to give a fair trial of what the people of this country are very fond of boasting of, which is *their Republican Virtue*. And the result of the trial has been to prove it *the Virtue of a Strumpet,* and that Gold, Imperial gold, will with the utmost facility procure the Lady's favors at any time. Congress had no sooner passed the first Embargo Law, than it was evaded. Another and another Law was passed to supply the deficiency of the first, and to prevents its being evaded.[33] Since Congress rose, Mr. Jefferson has found all these Laws ineffectual to restrain the Trade, and he has been issuing out, one angry regulation after another, and sending them to the Collectors, in some of which he has assumed powers which the Constitution does not give him. As the Embargo Laws have had no effect, and his regulations as little, he has at last sent the *Wasp*, with a detachment of Troops to Passamaquaddy, and he has ordered out portions of the Militia on the frontiers of Canada. But all he can do will not keep the Republican Lady honest. Upwards of 50,000 barrels of Flour have been sent away from this City since the Embargo took place. And I am convinced that either here, or in any part of the Union, it would be easy to contract with individuals to furnish anything the country produces, and to send it where it might be necessary. Since the King's last Order in Council, which had only been published here a few day's ago,[34] a Sloop laden with Flour came down the North River in the Night, passed boldly by their Gun Boats, and got to sea, intending to go to our Islands in the West Indies.

In addition to the foregoing observations, I would turn your Excellency's attention to a letter of Mr. Jefferson to the Democratic society of Philadelphia, which you will find in the Evening Post of June 7th.[35]

[32] Act of April 22, 1808.

[33] See note 19, above.

[34] See note 21, above.

[35] Letter of May 25, 1808. Jefferson's *Writings*, "Memorial" edition, XVI. 303.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It is deserving of Notice on several accounts. This democratic Society sent him an Address more than three Months ago, and he has neglected to answer it. But as Congress was not now sitting, and there was no call for him to communicate his sentiments on the present state of things, he has taken this mode to do it. He admits in his exordium that they have fallen into sad times, *times which require vigilance and embarrass deliberation*. These words express a great deal, and shew clearly that the President has fallen into a predicament, from which he does not know how to extricate himself—and this is exactly the situation in which he is placed. After lamenting the defective Virtue of a great part of the Citizens, he hints obscurely at War, but don't intimate with whom, but the language he makes use of has excited the warmest indignation of the Federal party. Your Excellency will perceive some indignant remarks in the paper of the 7th and it will not end here for these remarks will soon be followed by others still more severe. Mr. Jefferson in this Letter also talks of encouraging Manufacturers, as another Tub to the Whale, and to shew that he would injure Great Britain if he could. But all his experiments will not answer. The people are universally becoming tired of them. If he has War in view, he will find the country generally adverse to it. He has let the time go past when he might have plunged them into it. And by destroying the Revenue of the Country as he is doing by the Embargo he is daily diminishing their means to go to War.

[Endorsed:] In Sr G. Prevosts
18 June

VI. Howe to Prevost.

[Copy]

New York 7th June 1808.

Sir,

In consequence of the letter which Captain Douglas put into Your Excellency's hands, on the recovery of British Seamen from this Country, and your request that I would consider it among the objects recommended to my attention, I lost no time on my arrival here, in conversing with the British Consul on the subject. I found that he had procured passages for a number of these Men, who had made application to him. He also mentioned that Mr. Erskine had recommended this subject to his attention immediately after the Embargo took place; that finding these men generally more or less in debt at their Lodgings, and having no means of paying those debts, he had written to Mr. Erskine to know how this expence was to be defrayed, and that Mr. Erskine had expressed himself unable to give him any satisfaction on the subject.

This led me to converse with Mr. Moore, the British Agent of Packets, who has given orders to the Captain of this Packet[36] to receive on board about Sixteen of these People: and if any means could have been sanctioned by Government to enable Mr. Moore to pay the debts of others who applied, none of which would have exceeded five pounds, and the greater part not three, I am convinced more than double the number might now have been sent.

If these men are got from this Country in merchantmen, they do not

[36] The *Queen Charlotte*, according to a marginal note in the original.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

go into the King's Service as might be wished; but if they could be got away in Packets, the Admiral would have an immediate controul over them. I find Mr. Moore zealously disposed to serve Government in this business; and if Sir John Warren[37] would authorize him while the Embargo continues, to keep one or two Runners among the Tipling Houses here and enable him to pay the small debts of these people. I am convinced it would lead to the only effectual mode of accomplishing this business.

It would also be desirable that Sir John Warren should make some arrangement with the Captains of the Packets as they arrive at Halifax, on their way here, that there may be no impediment thrown in the way by them.

If Sir John Warren will communicate his wishes fully on this subject to Mr. Moore, I am convinced that Gentleman's zeal for the Service will lead him to enter with much industry into every measure which can lead to the attainment of this desirable object.

I have the honor to be
Yr. Excellency's
Most Obedient humble Servant
[Signed] JOHN HOWE

His Excellency
Sir George Prevost Bart:

[Endorsed:] Copy of a letter from
Mr. John Howe Post
Master of Halifax to
Lieut. Sir George Prevost Bt.
dated New York the 7th June 1808.
No. 3
In Sr G. Prevosts
19 June 1808

VII. HOWE TO PREVOST.

PHILADELPHIA, 22d June, 1808

Sir,

After closing my Letters to your Excellency by the *Queen Charlotte* Packet, I proceeded to the State of New Jersey, through which I progressed by very short Stages to this City. I had been led at New-York to suppose I should find the Inhabitants of New-Jersey very generally Democratic, which has been their Character for several years. But I was pleased to find, on mixing with them, that Mr. Jefferson's present measures, had excited great disgust, even in this State, and that whole Districts have so changed from Democracy to Federalism, that a strong hope is entertained by the Federalists, that their Election this year, will terminate in favor of Federal Candidates. What strengthens this hope, is, that their Elections do not take place until September, which will give to the Country more fatal experience of the destructive measures their Government is pursuing, And what will also have a powerful effect is, that throughout New-Jersey, and indeed every part of the Country, there is an appearance of excellent Crops of

[37] Rear-Admiral Sir John Borlase Warren, commanding on the North American station.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Grain, which if the Embargo continues, they will find no Sale for; and this in addition to the great Quantities of last year's Crop now on hand, excites a very strong sensation. For among all the Republican virtues I find in exercise in this Country, the Love of Money is by far the most predominant. On my arrival in Philadelphia, I found them bussily employed canvassing for the Election of State-Officers. In order to have an effect on these Elections, Duane the Editor of the *Aurora*, is seizing every circumstance that offers, which can in the least excite irritation against Great Britain; and among other predominant measures for this purpose, this Man, who is a Major in the Militia, has with some other violent partizans, induced a few companies of the Militia, the greater part of which are composed of Irishmen, to turn out this day, to celebrate the Battle of Monmouth, and the attack on the *Chesapeake*.[38] These Companies proceeded this Morning in Boats to Frankford, to exhibit there a Sham Fight, in which the British Troops are supposed to be defeated. This Celebration is a Counterpart to the Burial of the Bones at New-York. But it is by all discreet, well-disposed persons here (and this body I am happy to say is very numerous) looked upon with disgust. Federalism has greatly increased in this State; and there is strong reason to hope that Mr. Ross, the Federal Candidate, will be chosen Governor.[39] Their Elections in this State do not take place until October; and this is looked upon here as a very favorable circumstance, as the operation of the Embargo, will, before that time greatly strengthen the hands of the opposers of Government. All accounts from Washington agree in the opinion, that the Embargo will not be relaxed, but continued with all the vigour the Government can exert to enforce it. Mr. Jefferson, and the Heads of Departments are now convened at Washington. Mr. Gallatin, who had been at New-York, went through this City two days ago, on his Route to Washington. And Mr. Erskine, with whom I dined yesterday, informs me he shall proceed to Washington in Ten or Twelve days. He is anxiously waiting here the arrival of his Dispatches by the May Packet; and should they arrive within a few days, he will, in that case, proceed immediately to Washington. Nothing of National Consequence has turned up here, since the close of Mr. Rose's Mission; and so completely did every thing relating to that Mission terminate with him, that Mr. Moore, the Agent of Packets at New-York, informed me, that the Government Dispatches directed to Mr. Rose, which arrived after his Departure, he had, by a direction sent to him by Mr. Rose on leaving the Country, returned to England, instead of forwarding them to Mr. Erskine. I shall proceed through the Lower States of the Delaware, to-morrow, on my way to Baltimore, and finally, to Washington. I expect to meet Mr. Erskine, previous to my return to Halifax, either at Baltimore or Washington. The *Osage* is hourly expected with dispatches from England: and as the May Packet is expected also to bring Dispatches of importance, and which may lead to some decisive point, I shall endeavor to linger here, until I can bring to your Excellency some decisive opinion on the politics of the respective Countries. I have found Mr. Erskine very pleas-

[38] The affair of the *Chesapeake* and *Leopard* had occurred on June 22, 1807, the battle of Monmouth Court-house on June 28, 1778.

[39] In the election of 1808 James Ross was for the third time unsuccessful as Federalist candidate for the governorship of Pennsylvania; Simon Snyder, Democrat, was chosen.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ant and communicative. And I trust it will be in my power, on my return, to afford your Excellency every species of information, that can elucidate the politics of this Country, or any possible bearing they can have on the politics of Great Britain or her Dependencies.

On my first interview with Mr. Erskine, I found with him Mr. Nichol, a Gentleman, who had arrived from Upper Canada, with Letters from Governor Gore,[40] complaining of a most violent attack made on Boats belonging to the Michilimakinac Company, by Order of the American Collector in that District. I have since formed an acquaintance with Mr. Nichol, whom I find a sensible intelligent Man. He has, at my request, written me a Letter containing the particulars of this very extraordinary transaction, which I enclose for your Excellency's information. He has dated the Letter as if it had been sent from Niagara to me.

In addition to the Letter from Governor Gore, which Mr. Nichol brought with him, Mr. Erskine yesterday informed me, that he had just received a very pointed Letter from Sir James Craig on this important Subject. Mr. Erskine had an interview with Mr. Gallatin as he passed through this City, and urged that the Boats and their Cargoes should be immediately given up to the Company on Bonds, to wait the decision of the two Governments. This Mr. Gallatin did not think himself authorised to do, and Mr. Nichol is obliged to wait an Answer from Washington, which Mr. Erskine is daily expecting. This circumstance, among others, makes Mr. Erskine anxious to get to Washington; and if the Packet should not arrive in a reasonable time, he will set out without waiting for his dispatches.

I have had much conversation both with Mr. Erskine and Mr. Bond the British Consul here,[41] on the subject of British Seamen. Mr. Erskine, as I mentioned to your Excellency, in my Letter by the *Queen Charlotte*, had some time since written to Col. Barclay[42] on the subject, and he appears to me anxious that our Seamen should, if possible, be got out of this Country. I hope on my return to this City, I shall, if not before, receive an answer to my Letter to your Excellency on this Subject. Mr. Bond the Consul here appears to me to possess much ability and zeal to forward His Majesty's Service in this or any other respect, and will endeavor to seize every opportunity to effect this desirable object. He will, I am convinced, zealously attend to any suggestion, that may be made to him, by your Excellency or Sir John Warren, on this, or any other subject.

I visited a few days ago Fort Mifflin, which commands the entrance to this Harbour.[43] It appears in very indifferent repair—has Twenty-nine 32 Pounders mounted, and 4 small Mortars. The Angles of the Fort against which the operations of the *Vigilant* were directed in the

[40] Francis Gore, lieutenant-governor of Upper Canada, under Sir James H. Craig as governor-general.

[41] Phineas Bond, whose earlier correspondence with the Foreign Office was printed in the *Annual Report* of the American Historical Association for 1896, vol. I.

[42] Thomas Barclay, British consul-general in New York.

[43] This work is described as follows in the report of the Secretary of War mentioned above, note 17: "A regular, inclosed work, with batteries, magazines, and barracks, principally erected in the years 1798, 1799, and 1800, and now in a good state of defence."

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

American War. still shew very plainly the effects of her well-directed fire. The Garrison of this Fort consists of a Captain, two Lieutenants and 70 Men. All the repairs of the Fort are done by its small Garrison, who complain exceedingly of the niggardly economy of their Government. It would require a large Sum of Money and several hundred Men, for some months to put this Fort into even tolerable repair. Except a few Gun Boats, there is no other Military Establishment here.

Your Excellency will perceive in the Philadelphia Papers enclosed, the Trial of an American Captain here, for an Assault on the French Consul, and on the Commander of a French Privateer. This Prosecution was carried on by the Government, in consequence of an application from the French Ambassador. Mr. Dallas the States Attorney,[44] endeavored to operate on the fears of the Jury, by setting before them the dreadful consequences of offending the Great Napoleon. The decision of the Jury, shewed that they did not participate either in the fears or the wishes of their Government. They acquitted the American of the Assault on the French Consul, and threw on him the Damages. The Assault on the Captain of the Privateer, being acknowledged by the American he was fined 100 dollars for a Breach of the Peace: and this Sum was instantly collected by the Spectators of the Trial. The general feeling on this occasion, was very clearly manifested, not to be in favor either of French influence or of French domination.

As the political aspect of this Country is every day changing, and I think changing for the better, I shall reserve what I shall have further to say on the politics of this State until I return from Baltimore. The Politics of this State are very essential, as it possesses great influence on the adjoining States. The wealth of the inhabitants of this City is very great, and a great proportion of the people are men of the most orderly and quiet habits. The Embargo has produced no failures here of any consequence, though great injury is sustained, and many of its inhabitants subjected to much suffering.

I have the Honor to be
Your Excellency's Most obedient
Humble Servant
JOHN HOWE.

Original.

VIII. HOWE TO PREVOST.

(Copy)

NEW YORK August 5th, 1808

Sir,

After forwarding my Letter to Your Excellency of June 22d, I left Philadelphia and proceeded for Baltimore, where I arrived on the 25th. The rapidity with which this City has risen within the last twelve years, to wealth and consequence is really astonishing. The credit of the British Merchant, the benefits of that Trade to India, which Jay's Treaty secured to them, and the adroitness and enterprize with which they have seized all the advantages which the destructive War that has so long afflicted the World presented to them, will soon render this City, as a Commercial one, superior to any to the Southward, except New York. I was therefore induced to tarry here until the 4th July. I found a number of excellent characters here, and who appreciate as they ought, the Commercial benefits they derived from their connection with Great

[44] Alexander James Dallas.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Britain. But I am sorry to say, this is by no means the general feeling. Enmity to our Nation has here arisen to a great and bitter height. I was induced to remain here the 4th July, the Anniversary of their independence, as I was informed there would be a great Military exhibition. Upwards of Three thousand Men were under arms, dressed in Uniforms, and made by far the best Military Appearance, I have seen in this Country. There were among them five Troops of Horse, and several Artillery Companies, which appeared very much to advantage. On enquiry I found that the whole of these Men had been clothed and organized, since the affair of the *Leopard* and *Chesapeake*. The great zeal and frenzy which that unfortunate circumstance occasioned, has been very assiduously kept alive here by two Irish Printers, who possess as much zealous enmity to Great Britain, as Duane, the Printer of the *Aurora*, without his ability. To counteract the Mischief of these Men, and to bring the Public mind once more to a rational view of the benefits to be derived from a friendly intercourse with Great Britain, a Society of Gentlemen have established a Federal Paper, which commenced while I was at Baltimore, and appears to be conducted with so much ability and determined opposition to Mr. Jefferson and the present order of things, that I have no doubt, the most beneficial consequences will finally result. But so deep a hold has the democratic disorder generally taken here, it will require a long course of suffering and reasoning to effect any Material cure. I left Baltimore on the 5th July, and arrived the same evening at Washington. In the Morning after viewing the Capital, which is in a most unfinished state, and exhibits the greatest waste of Public Money, I proceeded with a Gentleman to view their Dock Yard. This I found on a much more extensive Scale than I had imagined, and filled with good and convenient buildings of all sorts. I found lying at this Yard eight Frigates, *viz.* The *United States* of 44 Guns, the *Essex* of 40, the *John Adams*, *New York*, *Constellation*, *Adams*, *Boston*, and *Charleston* of upwards of 30 Guns each. The *United States* had just undergone a thorough repair and hauled off. The *Adams* Frigate had had her upper works repaired, and was lying keel out, for the purpose of coppering. The *Essex* Frigate had had her sides new planked, and by what I could learn from the Superintendant, it was intended to overhaul and repair seven of these Frigates. The *Boston* was so rotten, she was deemed irreparable. There is also here a fine Brig of 18 Brass Guns. I was mortified to find that the Superintendant of this Yard was an Englishman by the name of Fox, who had served his time at Plymouth, And one of the most ingenious Men I found in this Yard, was also a Scotsman, who had been completing a Model of a Dry dock. Observing a number of men in the Yard, I enquired of the Superintendant, how many were employed—to my astonishment he told me upwards of 500. It would seem by so large a number being employed, a considerable part of which had lately been taken in, that it was intended to repair immediately all these Frigates that may be found repairable; for what purpose a little time must shew. These ships will all need much repair, for they have been left for Years, without covering, rotting and renting [?] with the Sun; for while these People are perpetually talking of Republican Economy (another boasted Republican Virtue), I think I never saw a more profligate waste of Public Money tha[n] all the Public Works in this City afford. A number of Gun boats are building in this Yard, though every sensible man, and their own Naval

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Officers are continually ridiculing them, as totally unfit for any defensive purpose.

I brought with me a Letter from Philadelphia to a Gentleman at Washington, through whom I expected to have been introduced to Mr. Jefferson; but unfortunately the Gentleman had gone the day before to Alexandria; and as I was anxious to complete my route to the Southward, I thought it not prudent to wait to seek an introduction to him in some other way. Indeed I expected on my return, to have found Mr. Erskine at Washington, in which case I should have gone again to that City. On my leaving Washington, I proceeded to George Town and spent a day about 3 Miles from George Town. I found a Cannon Foundary on an extensive Scale, and I was again mortified to find that this also was carried on by an Englishman of the name of Foxhall. He is completing a contract [for] Cannon for the States, and both his Brass and Iron Guns appeared to me extremely well executed. The day before my arrival at Washington, the 4th of July had been celebrated there; I met on the road to Washington, a Company of Flying Artillery, which had gone up from the Fort at Baltimore, to exhibit before the President. This Company belongs to the Continental Army, and appeared in good order. The President had a great Levy on the 4th July, and as another Tub to the Whale, he had on a Homespun Coat. To hear the Talk about this Coat at Washington and Georgetown would lead to the supposition, that these silly people supposed there was a sort of magic in it, which would work the ruin of the Manufacturers of Great Britain; and I am sorry to say that almost every person, contiguous to the Presidential Palace, and who learn their Sentiments there, most devoutly and ardently wish her destruction. Before I left Georges Town I learnt by the Newspaper, that the *Osage* had arrived; and I determined to proceed to Alexandria, which was only 12 Miles from Washington, and wait there, 'till the Messenger arrived at Washington. The evening of the Second day after my arrival at Alexandria, a Gentleman came on from Washington, who had spent the day after the arrival of Mr. Lewis there with the dispatches. He had had a conversation with Mr. Madison who assured him, that both England and France discovered no disposition to do them Justice, and that therefore the Embargo would continue as before.

Nothing could exceed the public disappointment at Alexandria, where every one had been looking for something decisive by this ship. A Schooner has since been sent to France and England to keep up the same farce, and amuse if possible, the public Mind. I received much attention from Mr. Patten the British Consul at Alexandria, to whom I communicated Capt. Douglas's wish respecting Seamen. He assured me, and on inspection of the Wharves, I found it to be true that there was scarcely twenty Seamen to be found in the place. He said if the Embargo was off, it would take a great length of time to collect Seamen to man the Vessels which are lying ruining by the Wharves. Since the astonishing prosperity of Baltimore, the Trade of Alexandria has fallen off much, although, except Norfolk it is the best Seaport in Virginia. I found a number of valuable people here, but the General Politics are the same as are every where to be found in Virginia. After leaving Alexandria I proceeded to Fredericksburg, and spent a day there. This City suffered much by a fire which took place about a Year ago, which destroyed nearly one half of it. Its Inhabitants may be reckoned among

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the hottest Democrats in this State. My next excursion was to Richmond the Capital of Virginia, here though Politics run extremely high, I had much conversation with some of the best informed men in this State. They assure me the Election of President, being by General Ticket in that State, and not by districts, that Mr. Madison will have every vote. If it had been by districts, Mr. Munro might have divided the Votes in some degree. Their opinion of Mr. Jefferson is, that he is a man of talent and of much address, but that he [is] totally devoid of principle, and so attached to France, that nothing can induce him to hold an equal conduct to both Countries. Of Mr. Madison they think better as a Man, but that he is too closely attached to the same Politics with the President, to expect any change of system, if he should be chosen; and that he will succeed in every state to the Southward of Pennsylvania I am afraid is certain. I have in my route had so much opportunity of ascertaining the Sentiments of North and South Carolina and Georgia, that I am afraid the Federalists deceive themselves, in expecting any support from them. They are suffering extremely by the Embargo; but it will require much suffering to open the eyes of these southern People, who have the most bitter enmity to Great Britain, and a large proportion of whom are very unprincipled. I next proceeded by way of York Town to Hampton, at which place nothing occurred worth notice. From Hampton I took Packet and went over to Norfolk, where I arrived in two hours, and had soon the pleasure of an interview with Colonel Hamilton, the British Consul, by whom I have been entertained in the most hospitable manner. I remained four days in this Place and had an opportunity of mixing much with its Inhabitants. They are in general very warm in their enmity to Great Britain, and like the Mass of Virginians would be gratified at her destruction. But notwithstanding this there are a number of valuable Persons here, who are supporting a Federal Paper, which is laboring with considerable ability to correct the Public Mind, and is I am persuaded gaining ground. The irritation occasioned by the attack on the *Chesapeake* is in some measure wearing off, though it is a continual subject of conversation. The public mind has been kept much inflamed by an Irish printer of the name of O'Connor, who like his Brethren at Baltimore, is laboring to keep up, if possible, the enmity to Great Britain. They are suffering much from the Embargo here; though with all their Patriotism they are watching every opportunity to violate it. The day I left Norfolk, one of their Captains returned from Kingston, Jamaica. This man I had much conversation with. He sailed in a Brig from George Town, with 1,600 Barrels of Flour, cleared out for New Orleans—he said he had met with such bad weather, that he lost both Masts, and had his Rudder unshipped; but very *providentially*, he met with a British Man of War, which took him in tow, and carried him into Kingston. Here he had very *providentially* sold his Flour from 20 to 25 Dollars, and finding his Vessel very rotten, he had got her condemned, and sold her there, and so had wound up the whole concern. He was now on his way to George Town with a long protest, to clear himself of the bonds he had given at the Custom house there; and if they can be persuaded that all these *providential disasters* befel him, he will be off again to Jamaica in six weeks. Besides all the other evils to this Country occasioned by the Embargo, it leads to a continual Violation of Oaths, and to a profligacy of habits, the effects of which, will finally be severely felt in this Country.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I left Norfolk and proceeded up the Chesapeake Bay by Water to Baltimore, where I arrived on the 21st and learnt from Mr. Wood the Consul, who had been at Washington, with Mr. Erskine, that Mr. Erskine had returned with him to Baltimore, and had two days before gone on to Philadelphia. In consequence of which after spending two days at Baltimore, I proceeded to Philadelphia where I arrived on the afternoon of the 24th. On the 25th I dined with Mr. Erskine, and had a long conference with him on the present aspect of affairs. On enquiring of Mr. Erskine the nature of the communications by the *Osage,* and the effects that would be produced by them, I was astonished to learn, that after that ship had been in England some days, and our Government finding no communication made to it by the American Ambassador, that Mr. Canning applied to Mr. Pinckney to know, when he would be ready to make such communication. His answer was he had no communication to make. Mr. Canning with much surprize said, that this ship had been looked for with much anxiety, and that His Majesty's Ministers, alive to the situation of the two Countries, were perfectly disposed to enter into any discussions which could relieve the present embarrassments, and then with much emphasis, asked Mr. Pinckney "Have you received no dispatches which bear on the present situation of the two Countries, and will you not, in consequence, have any communication to make to this Government?" His answer was, "I have received no such dispatches, nor shall I in consequence have any communication to make." And from the day of her arrival to the day of her departure, no communication was made.

Notwithstanding this important fact the Government here, have been holding out most basely, the idea that remonstrance had been made to both England and France, and that both had alike rejected them. The Truth of the case has at length got before the Public and is producing the best effects. This Government, when Mr. Erskine was at Washington, were much disappointed to find, he had nothing from our Government to lay before them. They enquired if he had nothing to submit to them on the affair of the *Chesapeake?* He answered, nothing. They assumed a haughty tone on the occasion, and even threatened him with rupture, if satisfaction on this point was much longer delayed. And Mr. Erskine's mind is strongly impressed with the belief that Mr. Jefferson actually contemplates, and wishes a War with Great Britain, and that an attack on Canada and Nova Scotia, makes a part of his Plan. That Mr. Jefferson, and his Cabinet, wish a War with Great Britain, and that they would delight in the annihilation of the British Nation, I have seen too much evidence since I have been in this Country, for a moment to doubt. But that he can carry his wishes into effect, I much doubt, unless some new subject of irritation, should arise between our two Nations; and I am inclined to think, if Mr. Erskine's ideas are correct, as to his determination to go to War with us, that he will seek such a subject, either through his cruisers, which he has sent out to protect the Embargo Laws, or on the Boundaries of Canada or Passamaquady. For that he cannot, without some new subject of irritation excite generally a War Spirit in this Country at present, I am perfectly satisfied. And I therefore sincerely hope, that while we give every facility to the introduction of their produce, that prudent men will be stationed at those different point[s] of contact, that his hopes and expectations may, in this respect, be defeated. I had much satisfaction in this last inter-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

view with Mr. Erskine, and was happy to find as far as respects the present Rulers of this Country, and their unprincipled enmity to Great Britain, there was between us no difference of opinion. When I went to the Southward of Pennsylvania, I proceeded in the hope, that in the ensuing election of President, I should find, at least, so much divission of interest, as would throw a part of the Southern Votes into the Scale with the Middle and Northern States, as would prevent the Election of Mr. Madison. But since my Southern excurssion, I am convinced that no confidence can be placed on any votes against Mr. Madison to the Southward of Pennsylvania. There is every where to the Southward a gradual Change of public opinion taking place, but it is too gradual to be reckoned upon in the present Election. At Pennsylvania they are engaged in a warm contest, and great expectation is entertained that the issue will be Federal. There is also a great change taken place in the Jerseys, but the issue is still doubtful. In New York, I believe they will generally vote for Clinton, and I believe it would be better that he should succeed than Madison, as it would at least lead to some change of System relative to Commerce; and this State is so highly a Commercial one, that it has a deeper interest in the renewal of Trade than any other State in the Union. Mr. Jefferson considers the Election of Madison as certain; for besides calculating on the Southern interest, which for the reasons I have mentioned, I think he is not mistaken in, he boasted to Mr. Erskine, that Governor Sullivan would negative the whole proceedings of the State of Massachusetts in the Choice of Electors, and so throw that State out of the Scale altogether in the Choice of President.[45] Both Mr. Erskine and myself are at present, for these reasons inclined to think that Madison will proceed, and if he does, it will be a source of mischief to both Countries.

The Accounts which have been received of the late opposition of the Spanish Nation to the tyrrany of Bonaparte, have produced much good effect here; and whether the Spaniards succeed in their exertions in Europe or not it will certainly enable Great Britain to establish the Independence of South America, and furnish that employment to our manufactures, which the suspension of the Trade of this Country has in some measure occasioned. It has already had the effect on all parties here, to convince them their Embargo must now be useless—and they are very eagerly hankering after a Trade with South America. This resolution will also have another very good effect. It will put an end to the expectations of the intriguers in this Country, who have all had their projects for the subjugation of the Spanish possessions. And if the friendly intercourse of our Government, and that of South America should be established on a durable footing, South America may be made to form a Barrier between the future scheme of these Southern intriguers. Several French Armed Vessels are now in these States—a Brig at Washington, two Schooners at Philadelphia, and two at Charleston. It would be very desirable, on two accounts, if our Cruisers could pick them up. One is the injury they do to our Commerce, and another is the detection of the baseness of this Government which winks at their going away loaded with Flour and Provisions. The exposure of their hypocrisy is of much benefit here.

Recruiting parties are now parading every City in these States for raising the 6000 Men: but with all their exertions the business goes on

[45] See Amory's *Life of Sullivan*, II. 300–303.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

very slowly. But if Mr. Jefferson does not succeed in raising this Army, the appointment of the Officers is answering his purpose almost as well. The Commissions are all given away for the purpose of promoting Mr. Madisons Election, and not a Man except of the Democratic Party can obtain them. I was pleased even in Virginia, where I first heard of Duanne's appointment,[46] to find that all parties were loath to believe it. They thought such an appointment disgraceful to the Army, but he was too necessary a Man in promoting the present Election to be neglected.

I stated to your Excellency in my Philadelphia Letter the attack which had been made on the Boats of the Michiliamakinac Company. Mr. Erskine acquaints me they have been given up with the furs, on bonds, subject to future investigation.

It was my intention to return to Halifax in this Packet; but some Letters I found here from Boston, have led me to think it best to go by way of Boston, as it will enable me to possess Persons there, in whom I can confide, of some facts in which the Northern States are interested, and be a means of increasing the laudible zeal they are discovering in opposition to the base designs of their Government. And I am thoroughly convinced baser Men never administered the affairs of any Country. My return by way of Boston, I do not expect will delay my arrival in Halifax more than a Week after the Packet; when in addition to what I have written, I shall have much verbally to communicate to Your Excellency; and if my excursion shall have tended in the smallest degree to the Service of His Majesty's Government, I shall be highly gratified.

I have the honor to be
Your Excellency's
Most obedient
humble Servant
[Sigd:] JOHN HOWE

To His Excellency
Sir George Prevost
etc, etc, etc.

[Endorsed:] Copy of a Letter from
Mr. Howe, to
Sir Geo. Prevost
dated at New York
the 5th Augt. 1808.
In Sr. G. Prevosts 25 Aug. 1808.

[46] President Jefferson appointed William Duane lieutenant-colonel of riflemen, July 8, 1808.

(*To be continued.*)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

REVIEWS OF BOOKS

BOOKS OF GENERAL AND ANCIENT HISTORY

The Encyclopædia Britannica: a Dictionary of Arts, Sciences, Literature and General Information. Eleventh edition. [In twenty-eight volumes and an index.] (Cambridge, England: University Press. 1910, 1911.)

Ever since the *Encyclopædia Britannica*, at its first reprinting, in 1777, broadened its scope to take in history and biography, the advent of every new edition has been an event of moment to students of history. With each successive edition the historical spirit of the work has become more marked. In 1875 its editor, Professor Baynes, in his preface to the ninth edition, announced its purpose to deal with all subjects from a critical and historical point of view; and the critic and historian who later succeeded to his task, Professor Robertson Smith, was yet more thorough in carrying it out. The "tenth edition", as everybody knows, was only the ninth with a supplement. Its somewhat more statistical and journalistic character may have seemed but incident to the mode of its publication, or perhaps to its management by the London *Times*. But it was from among its compilers that the editor of the eleventh edition, Mr. Hugh Chisholm, was chosen; and the prospectuses which now for months have been flooding us all have prepared us for its much greater expansion of the historical features.

The completed work, now with the exception of the index in all hands, more than bears out these claims. The historical articles are enlarged, multiplied, extended to ages and lands not heretofore counted within the scope of history. Biographical titles are many fold more numerous; and contemporaries are no longer excluded. Nay, all historical narrative, hitherto broken off at a safe distance from the present, is now brought down to the very eve of the year of grace in which we live. Geographical entries rival those of the gazetteers in number and far surpass them in wealth of information. Multitudinous short articles on episodes, institutions, ideas, customs, phrases, justify the subtitle in adding "general information" to the old "arts, sciences and literature". When an article is introduced only to tell us of "Ankle" that it is akin to *angulus* and means the joint which connects the foot with the leg, one wonders what even the dictionary is longer for. In short, the work has become, like the German cyclopaedias, a "conversation lexicon", and the American man of affairs, who was wont to rail at it because it did not answer the questions suggested by his business or his newspaper, will now find it more garrulous than its most versatile

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

American rivals—aye, devoting more space than they even to American towns and American notables.

But it is not the interests of the man of affairs alone that have been consulted. The student of culture history will rejoice in the larger space given to the story of the arts and sciences. The lover of the court chronicle and of drum and trumpet is so far from despised that dynastic genealogy and the historic peerage receive increased attention, and distinct monographs by military experts cater to the interest in battle and campaign. Indeed, if one have the heart still to be dissatisfied, he will grumble rather at the preference shown the heroes of war and of destruction at the cost of those of peace and good will. Knipperdollinck gets a column, while Castellio has not even a mention. But even the new *Britannica* has limits, and oversights there needs must be. The sciences auxiliary to history come in for generous space—Diplomatic, hitherto dismissed with a paragraph, fills now a half-dozen pages.

Surely all this warrants the claim of the editor's introduction that, "as a work of reference no less than as a work for reading and study, its preparation has been dominated throughout by the historical point of view"; and the student of history will not fail in gratitude. If he be an American, he will surely welcome, as a wise concession to the practical instinct of his people, what has not inaptly been called the "Americanization" of the work. But, if he be a true scholar, he must ask whether all this has been gained without cost to those high qualities which have made the *Encyclopædia Britannica* so long the pride of the whole English-speaking world. Is the new edition as largely the signed work of trained and recognized scholars? Are these so largely as hitherto the most eminent in their respective fields? Have the articles retained from earlier editions deserved to be so, and have they been thoroughly revised by their authors or by specialists as eminent as they? Are the unsigned articles worthy of their place beside the signed; the short, so multiplied in this edition, of their place beside the long?

Thus tested, the new *Britannica* will not be found above all criticism; and, though it would be presumptuous for any one student to venture a verdict upon the whole body of its historical work, it can hardly be rash to assume that defects which reveal themselves to the careful study of even a single student are more or less characteristic of the whole. A glance through the list of contributors might indeed appall the boldest critic. It is a portentous array of the scholarship of Great Britain and her colonies, with a notable sprinkling from the Continent and from America. France contributes Duchesne and Luchaire, Bémont and Esmein, Longnon and Valois, Pfister and Poupardin, Alphandéry and Thomas, Prinet and Wiriath; Germany, Eduard Meyer in ancient history, Hashagen in modern, Hauck and Mirbt, Kraus and Pastor, in that of the Church; Belgium, Father Delehaye; Holland, De Goeje; Bohemia, Count Lützow; Servia, Mijatovich; Russia still fur-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nishes Prince Kropotkin; Italy, Luigi Villari to take his father's place. From America, apart from American themes, which naturally fall in great part to Americans, the number in history is not large; but they are well chosen, and Americans may well be proud of the importance of their assignments and the quality of their output—the magistral article on Feudalism by Professor Adams, Professor Robinson's on the Reformation, masterly in its reach and grasp, Professor Knox's fine survey of Christianity and Professor McGiffert's of the early Church, Professor Jastrow's contributions on Oriental antiquities and Professor Botsford's on classical, and the sound work of that group of younger scholars led by Professor Rockwell, to whom has been so largely entrusted the history of the popes. To Professor Shotwell, for a time an assistant editor, falls the article on History itself, and its learning and eloquence will be appreciated even by those who do not wholly share his breadth of view. Nor will any historian be seriously shocked by his breezy article on the Middle Ages, which he essays to prove a myth —though it is a pity to ascribe the myth to Flavio Biondo, whose is neither the phrase nor the thought, and who, though his history does begin with Alaric instead of the Creation and was interrupted by death before he had brought it quite to his own time, dispatches in his first pages the fall of Rome that all the rest may be devoted (and almost in the spirit of Professor Shotwell) to "the beginnings of new cities and the honor of most surpassing peoples", for whose rise he counts the fall of Rome a providential thing.

That scholars thus enlisted in other lands are such as have proved their fitness for the tasks to be entrusted to them hardly needs the saying; but the British contributors, too, though some great names are wanting where they might be looked for, have been selected with much care. Most commendable is the acumen which now and again has detected the special training for a special study of some scholar known as yet to but a narrow circle; and not less commendable the wisdom which has retained from earlier editions the work of scholars in whose field no peer was to be found. Not a few, indeed, of the most eminent names belong to those whose contributions are wholly of this sort; and not all were still among the living to revise their work. Revision, however, in all cases there has been; and, when entrusted to a scholar of like training, it seems well done. Yet even then it is not easy to be patient with what confuses authorship and vitiates integrity of style. It has been the peculiar glory of the *Britannica* that its articles were literature as well as learning. Learning can be patched, but literature bleeds when it is cut. Mark Pattison's Erasmus could have been put into no happier hands than those of Mr. P. S. Allen, to whose studies the changes in our knowledge are so largely due. He has left it, as he found it, a charming essay; yet one dares to wonder if the world might not have been the gainer if to Mr. Pattison intact in the ninth edition were added Mr. Allen unhampered in the eleventh.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

But, if such doubt attach to emendation even by a master, whose appended initials suggest and justify the double authorship, what shall be said of that revision which without a sign, or with none that reassures, foists its amendments on another's work? And herein lies the very gist of what must qualify the praise due to the new *Britannica*. More even than the penuriousness of publishers, the besetting danger of encyclopaedias has been the omniscience of their editors. The "respect for anything in books" has had no better illustration than in their readiness to correct or to compile an article on the most unfamiliar or recondite theme. How many a scholar has shuddered, when the published work has reached his hands, to find inserted into his articles by editorial zeal the very errors which he had counted it his highest service to discard; or, if spared this, has found them reappearing in the unsigned articles now elbowing his own. It is to meet such dangers, doubtless, that it has become the growing habit of cyclopaedias on both sides of the sea to distribute editorial responsibility among a corps of eminent scholars drawn from different fields of learning. Such a body of "advisers" aided the editor of the new *Britannica*; but History had the fortune to be the field of the editor's own study, and Mr. Walter Alison Phillips, whom he associated with himself as chief assistant editor, was one of the most vigorous of the younger English historians. To aid them they gathered, on either side of the Atlantic, a group of other young scholars, all undoubtedly men of training and promise. But neither Mr. Chisholm nor Mr. Phillips was known to the world of readers by work in any period save the most modern; their colleagues were scarcely known at all. Each in the field of his own preparation was doubtless admirably fitted for such duties as a cyclopaedia may wisely commit to unproved pens; but for the revision of old articles or the writing of new no training and no promise can to the users of a cyclopaedia take the place of that proved special knowledge which alone can give authority. Yet to the pens of these, it must be feared, must be ascribed not only most of the revision, but the great mass of the unsigned articles, historical, biographical, geographical.

Let it at once be admitted that in these there is much good work, and that, as such work goes, the average is high. But there is much, too, which is simple compilation, and compilation from the most accessible sources. In the geographical articles history is so second to description that perhaps the guide-book information which sometimes creeps into them should hardly give offense; but for biography there should be a higher standard. That other cyclopaedias and biographical dictionaries should be frankly used and frankly quoted is of course to be commended; but that, for such a work, research should stop with these is a sad pity. Doubtless it is only a lapse of pen which can describe Ambrogio Traversari as a "French ecclesiastic", for the writer shows clear knowledge of the sources; but of what use to revise the article on Aleandro with neither mention or knowledge of those pub-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lications by which Balan and Brieger, Paquier and Kalkoff, have now first made accessible his papers and revealed the details of his career? Why write of Georg Agricola in ignorance of Hofmann's monograph, or of Schwenkfeld with no mention of the great new *Corpus* of his works? What shall be thought of a revision which in the article on Alva can still leave Egmont and Horn "leaders of the Protestants" or in that on Agrippa change "the abbot Trithemius of Würzburg" to "Trithemius, abbot of Würzburg", or can leave Capito intimate with "divines of the Socinian school" while Socinus was yet unborn? Why, if there must be an article on one and but one of the wretched authors of the *Witch-Hammer,* not turn to those studies of Hansen which have first learned something about them and have taught us that Sprenger was not the chief? More serious is it still when to such editorial assistants are assigned important articles for which a special student might easily be found. Surely, if there was one life for which such help was within reach, it was that of "Joan of Arc", on which in English we have the noble studies of Mr. Lowell and of Mr. Lang. Perhaps it was precisely these which made the task seem easy; for the initials attached to the *Britannica's* sketch are those of editors, including those of Mr. Chisholm himself, whose share, if one may guess from what appears, was perhaps only to verify it by Mr. Lang's just-published work. Closer study shows the article but a revision, sadly needed, of the ninth edition's, long passages of which remain untouched. Some errors are removed—and some are added. Could Mr. Lang himself have been induced to undertake it, he surely would never have begun by putting Domremy "in the Vosges" or wasting time over the futile (and now happily obsolete) dispute over Jeanne's name; or, doing so, could not have so misunderstood the very point at issue as to make it turn on the fifteenth-century use of the apostrophe (then not yet invented) or of a capital (while yet duke of Orleans and king of England regularly appear as Dorleans and Dangleterre), or have supposed the act of ennoblement extant in its original or its spelling beyond question. Nor (to skip all between) could he have ended the article without a mention of the newer sources, now about to be gathered into a volume supplementary to Quicherat's collection.

The severest test of British works dealing with general history has long been to examine the portions relating to Germany. But there have been most encouraging exceptions; and of late such work as Mr. Armstrong's and that of the writers in the *Cambridge Modern History* has been of better omen. Surely in this galaxy of scholars one could have been found for the *Britannica's* article; or, if any period had as yet no special student, help could have been sought on the Continent, as has so fruitfully been done for the articles on France, Italy, the papacy. But Germany falls instead into editorial hands, and chiefly to a young scholar scarcely known as yet to print. As a first attempt in a difficult field his sketch is not disgraceful, and it well may be a pre-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lude to achievements worth the while; but it is far from the ripe work to be expected on such a subject in the *Encyclopædia Britannica*, and both its text and the somewhat chaotic bibliography at its end abound in misconceptions and inadequacies.

The most daring of the staff is indisputably Mr. Phillips. With a temerity almost appalling he ranges over nearly the whole field of European history, political, social, ecclesiastical, now astonishing us by the keenness of his fresh research, now perpetuating some venerable error. Whether such work be keen or careless is, however, little to the point: the grievance is that it lacks authority. This, too—this reliance on editorial energy instead of on ripe special learning—may, alas, be also counted an "Americanizing"; for certainly nothing has so cheapened the scholarship of our American encyclopaedias. But it is an Americanizing which few Americans will welcome.

For the future there is one great reassurance. Now and henceforward the *Britannica* is under the care of the University of Cambridge. That transfer came too late to be of serious moment to the eleventh edition; but it may well mean everything to those which follow. May it hasten the day when it shall be the editor's function to select its authors and to aid them, but not to do their work. There is, indeed, much short of that for editors to do. The weakest thing about the new *Britannica* is the inadequacy of its bibliographies. The most important source, the latest or the foremost monograph, the best book in English, go often unmentioned. Writing, as scholars must often do, at a distance from great libraries with their bibliographical aids, such oversights are easy. They are no trifle, to writer or to reader; and a vigorous young scholarship at the editorial desk might do much to remedy the evil. Great irregularity, too, prevails in the citation of titles and in the description of books. More vexatious still are the misprints to be found on almost every page, especially in proper names and in passages from foreign tongues. How many of these are to be ascribed to the American impression alone—thanks to the law which requires the type to be reset on this side of the sea—the reviewer can not guess; but surely here was work for an American editor at least.

To compare with the new *Britannica* any other in English speech is clearly idle. Though in occasional articles it may be surpassed by others, its vast bulk would of itself ensure its greater fullness. There is, indeed, in all the world only a single fellow—the French *Grande Encyclopédie* (1886–1903). Compared with this huge product of French scholarship its British rival falls short in size, containing but from two-thirds to three-fourths as many words; and he would be rash who should presume to rate the history in the French work—till his death under the masterly editorship of Arthur Giry—lower than that of the British. But in literary charm and readableness, at least, and yet more in all that goes to make up beauty of dress, the new *Encyclopædia Britannica* is without a peer. Even its maps, which so long lagged be-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

hind those of Continental publishers, are now a joy alike to mind and eye. Those printed wholly in black are, it is true, sometimes obscure through wealth of detail or through the blurring of natural features by names; but those printed in colors, and especially those which color the rivers as well as the relief, leave nothing to desire. Whatever its defects, the new edition is a matter for pride. Its advent is a notable step toward the good day when the learning and the art of all the world shall be enlisted for the creation of that international work which alone can be a really faithful mirror of advancing knowledge.

GEORGE L. BURR.

Hérodote et la Religion de l'Égypte: Comparaison des Données d'Hérodote avec les Données Égyptiennes. Par CAMILLE SOURDILLE, Ancien Élève de l'École Normale Supérieure et de l'École Pratique des Hautes Études, Professeur Agrégé de l'Université. (Paris: Ernest Leroux. 1910. Pp. xvi, 419.)

La Durée et l'Étendue du Voyage d'Hérodote en Égypte. Par CAMILLE SOURDILLE [etc., as above]. (Paris: Ernest Leroux. 1910. Pp. 259.)

THIRTY years ago the prevalent method of studying Egyptian religion was to begin with the data and the ideas regarding it furnished by Greek and Roman authors, and having built up a system from such sources, then to proceed with the older Egyptian documents, employing them merely to fill up gaps, to furnish illustrations, and to brighten with contemporary detail what would otherwise have been a rather meagre outline. Such was the method by which Brugsch produced his *Religion und Mythologie der alten Aegypter.* It was such a method as this, which enabled the older generation of scholars to discover primitive monotheism on the Nile, as well as elsewhere in the East. Its futility was long ago recognized, but we have as yet made but a very small beginning toward the exhaustion of the old native sources properly employed.

The larger of M. Sourdille's two books mentioned above is a sober and careful effort to determine just what value we should attribute to the account of the religion of Egypt in the middle of the fifth century B. C. furnished us by Herodotus, the earliest Greek traveller on the Nile who has left us his impressions. This question, while it may seem to be a purely literary one, is of far-reaching historical importance. The imposing *mêlée* of thought and religion from the most remote and racially divergent sources, with which the historian is confronted as he surveys the Mediterranean world at the beginning of our era, was not a little influenced and modified by the current which constantly flowed into it from the Nile. What was the character of this stream of influence from Egypt? Can we suppose that the religion of Egypt, as revealed to us in old native sources long antedating Greek civiliza-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion, passed out unalloyed into that Mediterranean world? For reasons based on language alone this supposition is impossible. It has long been evident to your reviewer, that it was the religion of Egypt as viewed, interpreted, and apprehended by generations of Greeks, it was this Hellenized composite of old Egyptian religion and Greek preconceptions which passed out into the Mediterranean world to make Isis a household word in Rome, and give her a sanctuary even in such a provincial city as Pompeii. The same thing happened to Christianity. It was not the Christianity of Judea in the first decades after the crucifixion which conquered the Roman world.

It is from this point of view that M. Sourdille's book is written. He desires to tap the stream of Hellenized Egyptian religion as near its source as possible, and Herodotus furnishes the best opportunity. The author's method, followed with the greatest conscientiousness, is to collect all the scattered statements of Herodotus on any one particular god, temple, feast, custom, etc., and having analyzed and then pieced these together, to compare the view of Herodotus thus gained, with the facts as discernible in native Egyptian sources. In places the Greek historian suffers somewhat unjustly by this method. The age when he visited Egypt, some seventy-five years after the Persian conquest, has left us so few monuments that we can not reconstruct from native sources the religious conditions which he found. Our native sources belonged to an age many centuries older, or to the later period of the Ptolemies. These last have not been thoroughly studied as yet. Undoubtedly they represent, more than any native sources, the religion of Egypt as Herodotus saw it. It is evident also that M. Sourdille does not deal with the native sources at first hand. He depends upon the Egyptologists, chiefly Maspero, but he has been most conscientious in his effort to array the whole mass of modern research, and, properly sifted, to bring it to bear at every point. Occasional misunderstandings have inevitably resulted. The hieroglyphic original of the Greek "Harmakhis" does not mean "Horus of the two Horizons", which rendering is an old misunderstanding, but should be rendered "Horus in [that is, 'dwelling in'] the Horizon" (p. 57). Again the god "Soutikhou" (p. 105) or "Sutekh" of the Hyksos is in name identical with Set, the old writing of which is "Setesh", showing a softening of the heavy guttural "*h*" (kh) at the end to "sh". Our author's incredulity regarding the identity of the Phœnix of Herodotus with the Egyptian Benu, which is found as early as the Pyramid Texts, seems to your reviewer hardly justified (p. 198). The reference to Memphis as the capital of Lower Egypt (p. 389) is doubtless an inadvertence. While the author's researches suffer somewhat, because based upon available Egyptological studies of the older native sources—studies which must be regarded as only preliminary and still more or less in their infancy—nevertheless his verdict on the account of Egyptian religion given by Herodotus will in your reviewer's judgment stand as

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

final. It is summed up in the last sentence in the book (p. 401): "Bref, malgré les nombreuses lacunes de l'exposé, malgré ses fréquentes contradictions, il est possible d'affirmer que la religion attribuée par Hérodote aux Égyptiens n'a été, à aucun moment de l'histoire, une religion strictement égyptienne." We cannot leave M. Sourdille's book without a word of hearty felicitation to him on the success with which he has applied his patient, careful, exhaustive method of inductive research, combined with clear, penetrating, and incisive insight into the materials brought together. He has given us the ablest book yet put forth on these aspects of Herodotus.

The smaller of the two volumes is clearly a kind of by-product of M. Sourdille's valuable study of Herodotus and the religion of Egypt. The question studied is of special importance as related to his larger volume. His conclusion that Herodotus made but a short stay in Egypt, probably less than four months, and that this period fell within the season of inundation from August on, is highly probable, if not demonstrable. The author's explanation of the preposterous account of the topography and geography of Upper Egypt given by Herodotus, is less happy. The Greek historian states that the mountain chain on the east side of the Nile, which he calls the "mountain of Arabia", diverges to the Red Sea, so that four days' journey above Heliopolis the valley again widens. It is perhaps a question whether his account of the mountain explains his impression regarding the widening of the valley, but his statement of this widening is unequivocal. The facts are of course quite the reverse. One widely accepted explanation of the error is that Herodotus did not make the voyage of Upper Egypt, and that he has fabricated his account of that voyage, putting together such facts as he could glean by inquiry. It is a fact, as he himself betrays it, that he was inquiring about the sources of the Nile at Sais. M. Sourdille's explanation of the Greek historian's strange mistake is that he did not make the voyage up the river itself, but sailed up the Bahr Yusuf, a channel far to the west of the Nile, which leaves the main river (or a canal from it) below Siut and flows into the Fayum. Our author is under a false impression regarding this channel. He calls it a "canal" (p. 252), but it is not an artificial channel. It is a natural branch of the Nile, which winds its way northward through the valley as no irrigation canal ever does. A stream less suited for a rapid voyage up the Nile valley could not be conceived. It winds so excessively and continuously that the itinerary proposed by M. Sourdille for Herodotus would, in point of time consumed, be quite impossible. Herodotus's false impression regarding the shape of the upper valley cannot be explained by carrying him up this channel. When we contrast the shrewd observations of the Greek traveller regarding the Nile Delta, with his confused account of the valley above, one cannot but regard it as somewhat doubtful whether a man with his capacity for observa-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion could have voyaged up the Nile at all. The book is however an excellent study of the geography of Egypt as presented by Herodotus.

JAMES HENRY BREASTED.

Palestine and its Transformation. By ELLSWORTH HUNTINGTON, Assistant Professor of Geography in Yale University. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvii, 443.)

THIS important book records in popular form the results of the Yale Expedition to Palestine in 1909. The author had previously travelled extensively in Central Asia, Asia Minor, Persia, and India. These journeys had led him to adopt certain theories as to changes of climate and their relations to history. Palestine seemed to him to present a unique field for the testing of these theories. For a number of months he thoroughly explored the land "in a series of circuits and zig-zags" which enabled him to see "at least a sample of each of the varied geographic types which nature has thrown together in this unique little country". "Two co-ordinated subjects", he tells us, "form the theme of this volume, topography and climate. The first half of the book is devoted to a description of the appearance and form of Palestine and to a consideration of the manner in which the peculiar geological structure of the country has given rise to certain strongly marked [national] characteristics, whose influence can be traced through history. The second half deals with the climate of the country, or, more specifically, with the changes to which climate has been subject" (p. 6).

The title of the volume refers directly to the second subject. By "the transformation of Palestine" Professor Huntington means to indicate the conditions under which a land once fertile and densely populated has become comparatively barren and sparsely peopled. But the two themes interpenetrate. In the topographical part many concrete instances are given which later serve as illustrations of the second or main thesis. For example, he notes at Aujeh in Southern Palestine the ruins of a once prosperous Graeco-Roman town, with colonnaded streets, baths, churches, etc. He shows that, whereas this town probably supported a population of ten thousand souls in the fifth century A. D., many of the modern Arabs who sparsely inhabit the district round about are genuinely hungry for months each year. He concludes that this change in condition is due to a diminution in the rainfall. He holds, however, that the changes of climate during historic times have not been radical, pointing out that a change in two or three degrees Fahrenheit in the mean annual temperature of Palestine, with corresponding changes in precipitation and evaporation, would have a marked effect on the habitability of the land. Of the three hypotheses, any one of which might conceivably account for the alteration in climate—that of deforestation, that of progressive change, that of pulsatory change—he adopts the last. He maintains that the three great eras of world-history are synchronous with three pulsations

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of climate. At the end of each pulsation, the rainfall is supposed to have decreased, only to increase again in the next. But each wave is held to rise less high than the last, so that in the third era, which is still in progress, the rainfall will never reach the point it reached in the first two eras. In support of this thesis he brings to bear a wealth of material, meteorological, geological, geographical, historical, and archaeological. The force of his arguments however, in both sections, is occasionally weakened by sweeping statements which are not justified by the available data. Here and there the data are moulded to suit the argument. But on the whole the material is used in a scientific manner.

Mr. Huntington travelled in Palestine as a geographer, but to him the land was ever the Holy Land. Moreover he is happily not afraid to express his enthusiasm for striking scenery. His personal experiences, though never obtruded, are charmingly woven into the text whenever they may serve as real illustrations.

FREDERICK JONES BLISS.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Manuel d'Art Byzantin. Par CHARLES DIEHL, Professeur à la Faculté des Lettres de l'Université de Paris. (Paris: Alphonse Picard et Fils. 1910. Pp. xi, 837.)

FOR years M. Diehl has been known as one of the half-dozen prominent Byzantinists, yet one opens his book with some misgiving. Five years ago, at the first International Archaeological Congress in Athens, Byzantine archaeologists discussed whether the time had arrived for a synthetic statement as to Byzantine art, and the feeling was that there was still too little consensus of opinion as to its limits, its character, and its origin, too little of scholarly analysis and classification of its monuments. Since the congress, however, more discoveries have been made in this field than in the preceding century. New artistic schools have been disclosed. Every year has brought illuminating material or startling hypotheses, for much of which the Austrian critic Strzygowski is responsible. This activity has made the writing of Diehl's book possible. As he says, it is rather a history than a manual: the first attempt at a history of Byzantine art, though another French scholar, Millet, has recently given some important chapters to this subject in the monumental history of art edited by Michel.

There can be no question of the thoroughness, scholarship, perspicacity, and constructive ability shown in this book, cloaked in the interesting literary form so peculiar to French writers. It is a very notable contribution to art history, and all the more important because no style of art has been so maligned, misunderstood, and ignored.

The preliminary chapters on the origin and formation of Byzantine

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

art show the author to be a convert to Strzygowski's theories which attribute to it an Oriental origin, to the complete exclusion of Roman influence. The elements contributed by Hellenistic and native Syria, by Egypt, and by Asia Minor, recently brought to light, are carefully studied, with the added influence of Persia, and these are all found to focus on Constantinople during the fifth and sixth centuries, in such a way as to justify giving the title "Byzantine" to the finished art of the Christian East. A large part, it must be noted, is assigned to the Hellenistic art of Alexandria. As this theory as to origin and constituent elements is fundamental and pervasive, I cannot but register my belief that the opposition to Roman art as a factor in the situation is so far-fetched and unhistorical that it is not likely to survive. Byzantium as the direct heir of Rome received from her imperial art, and not directly from Hellenic art, her Alexandrian, Anatolian, and Syrian elements, which had already become incorporated in pagan Roman art. Diehl ignores Rivoira's proofs of the architectural dependence on Rome, which undermine the theories he upholds as regards domical construction, building plans, and other fundamental features.

We reach firm ground in the description of St. Sophia, which marks the golden age, almost at the moment when the new art first reached unity. The rich polychromy which henceforth ruled became the keynote of Byzantine art. Aside from figured sculpture, which was soon *taboo,* every conceivable form of art was developed. Far more wealth was expended on it than in Europe during the Middle Ages. The luxury and lavishness of Constantinople were unequalled. The descriptions of the imperial palaces, their decoration and contents, make it possible to partially reconstruct the scheme. The industrial arts were especially rich: tapestries, rugs, embroideries, silk stuffs, ivories, enamels, illuminations, gold and silver work, bronzes, cameos, were produced in enormous quantities. Their portability and beauty made the spread of the influence of this style in Europe quite easy by means of commerce.

The regions where Byzantine art may be regarded as indigenous are Armenia and Georgia, Asia Minor, Palestine, and part of maritime Syria, Greece, and the Hellenic provinces of Turkey in Europe, even including Slavic Servia, and, at one time, Russia. Venice was once almost purely Byzantine territory, and Sicily was strongly influenced at the same time. Domical architecture even penetrated as far as central France, and Germany was affected under the Othos and Henrys, especially in her minor arts—illuminated manuscripts, enamels, gold and silver work. In fact it is difficult to say where the influence ceased because it often took the form of inspiration, leading the arts of Western Europe to new fields of self-expression. Undoubtedly in the choice and development of the themes of Christian art, the Orient furnished at one time or another a majority of the ideas and subjects.

In view of the common opinion that Byzantine art was as immobile as that of Egypt, it is interesting to see how M. Diehl's careful analysis

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

discloses not only contemporary variations in different provinces, but distinctions of style and ideas at certain periods. After the decay following the century of Justinian (sixth), came the change brought about by the Iconoclastic persecution which brought into play fresh decorative ideas (eighth century). Under the Macedonian dynasty in the ninth century art entered on a second golden age that endured through the next century, with a marked return to antique beauty and models and a unification of architecture under a single domical type, with a tendency toward the Greek cross in plan and far greater slenderness of proportions, picturesqueness, and exterior polychromy. These peculiarities were further developed in the period of the Comneni (twelfth century). It was also now (tenth to thirteenth century) that Byzantine art exercised its widest influence outside its own domains, assisting in the great movement of art in Europe, dominating, especially, the revival of painting in Italy. One of the most novel features is the demonstration that even after the capture of Constantinople in 1204 and the disruption of the Empire by the Crusaders, Byzantine painting had a final burst of beauty during the fourteenth century corresponding in naturalism and charm with the contemporary Giottesque and Sienese schools.

There seems to have been no phase or branch of his theme that M. Diehl has not treated here with extraordinary thoroughness.

A. L. FROTHINGHAM.

Les Chrétientés Celtiques. Par Dom LOUIS GOUGAUD, Bénédictin de Saint-Michel de Farnborough. (Paris: Victor Lecoffre. 1911. Pp. xxxv, 410.)

DOM GOUGAUD'S name is well known to students of the Celtic Church by his articles on the subject which have appeared in the *Revue Bénédictine* and elsewhere, and in this, his capital work, which forms one of the volumes of the *Bibliothèque de l'Enseignement de l'Histoire Ecclésiastique*, he has given us the most complete, and at the same time a most succinct, account of the historical evolution, the origin and growth of the Christian Church in the different parts of the Celtic world. The appearance of the book at this moment is particularly happy when the best-known essays on the subject, namely, Zimmer's brilliant and erudite, though not always reliable, articles on the Celtic Church in Britain and Ireland (*Realencyclopädie*, X., 1901; English translation by Miss A. Meyer, London, 1902) and the same author on Medieval Irish Culture (*Preussische Jahrbücher*, 1887; English translation by J. E. Edmonds, New York, 1891) are, in their English dress, reported to be out of print.

The subject treated by Dom Gougaud extends to the close of the eleventh century, when the religious institutions of Celtic Christianity, which in spite of differences had certain characteristics in common, lost their own religious physiognomy. On this period, which constitutes one of the most interesting chapters in the history of Christianity, much has

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

been written and much remains to be done. In *Les Chrétientés*, Dom Gougaud gives not only his own most valuable opinions but also what was perhaps most needed at the present stage of the study, a compendium of the views of his predecessors. In the case of points which are still *sub judice* the author is content to present the theories that have been advanced without adopting any one of them. The work shows an astonishingly wide acquaintance with the sources and the literature, which is examined with an independent and incisive criticism. As might be expected in a work of such comprehensiveness as the one before us, some phases of the subject are treated with more fulness than others. Especially worthy of notice are the chapters on Pelagianism, the controversies on the Paschal observance, and the tonsure, the origin of monasticism in Ireland and the constitution of the monastery, which reflects in many respects that of the clan; and the chapter on the illuminated manuscripts and the motives of ornamentation is the equal of, if it does not excel, the descriptions to be found in special works on the subject. It is shown conclusively, we think, that, except for the momentary intrusion of the Pelagian doctrines into a part of the Celtic world, the integrity of the Catholic faith was unimpaired, and that, in spite of an original outwardness, lack of organization and authority, which marked it off from that of Rome, the Celtic Church was not at any time dissentient and independent.

The author (p. 262) points to the need of a detailed study of the apocrypha, which enjoyed an especial favor in Ireland, and also (p. 284) of the rich folk-lore material of the Celts for the light it throws on their superstitious credulity. In connection with this subject, we may be permitted to call attention to the curious book of Walter Y. E. Wentz, *The Fairy-faith in Celtic Countries* (Rennes, 1909), which seems to have escaped the notice of the author. On pages 310–312 we find the best account, though brief, of the old, popular Celtic prayers which are most characteristic of the piety of the ancient Celts. The author is undoubtedly justified in limiting his study to the first thousand years of Celtic Christianity, but a history of the religiosity of the Celts would not be complete without some account of their religious songs and dramas and other folk-productions as they are found especially among their most widely separated branches, the Bretons and the Irish, which are still alive and contain elements, both pagan and Christian, peculiar to the race.

The serviceableness of the book is enhanced by the references, which constitute the most complete bibliography we have of the subject, and by the inclusion of three maps of Christian Ireland and Britain and of the extension of the Irish monastic institutions on the Continent, but we regret the absence of an index of subjects, which it remains for each reader to make for himself until the appearance of a new edition of the work.

JOSEPH DUNN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Mediaeval Mind: a History of the Development of Thought and Emotion in the Middle Ages. In two volumes. By HENRY OSBORN TAYLOR. (New York: Macmillan Company. 1911. Pp. xv, 613; viii, 589.)

IN the preface to this interesting and valuable work the author states that his purpose is "to follow through the Middle Ages the development of intellectual energy and the growth of emotion. Holding this end in view we . . . shall not stray from our quest after those human qualities which impelled the strivings of mediaeval men and women, informed their imaginations, and moved them to love and tears and pity." But in the development of the subject a narrower view is taken. The author describes as "the supreme mediaeval achievement, the vital appropriation and emotional humanizing of patristic Christianity". He says, "Albertus and Thomas represent the successive stages of one achievement, the greatest in the course of mediaeval thought." "Albert and Thomas embody *par excellence* the intellectual movement of the thirteenth century." "For scholars who follow, as we have tried to, the intellectual and the deeper emotional life of the Middle Ages, the Latin literature yields the incomparably greater part of the material of our study. It has been our home country, from which we have made casual excursions into the vernacular literature." "More profoundly than any vernacular mediaeval literature, the Latin literature of the Middle Ages expresses the mediaeval mind." And yet he considers Dante's work as "the mediaeval synthesis". As these passages indicate, Mr. Taylor does not try to portray the psychology of the average man (an impossible task), but is concerned mainly with the minds of those whom he calls the "arbiters of opinion".

The first book, "the groundwork", describes "the Latinizing of the West, . . . the antique pagan gospel of philosophy and letters, . . . the intellectual interests of the Latin Fathers, . . . the great Latin transmitters, Boëthius, Cassiodorus, Gregory the Great, and Isidore of Seville, . . . the barbaric disruption of the Empire, . . . the qualities and circumstances of the Celts and Teutons, . . . the ways in which Christianity, with the now humbled and degraded antique culture, was presented to this renewed and largely Teutonic barbarism." This introduction is excellent.

The second book, "the early Middle Ages", treats of three subjects: the Carolingian appropriation of the patristic and antique learning, the mental aspects of the eleventh century, and the growth of medieval emotion. The next two books, both entitled, "The ideal and the actual", have as their subtitles, "the saints" and "society". The former discusses monasticism, with St. Bernard and St. Francis in the foreground and Archbishop Rigaud's *Register* to illustrate "the spotted actuality", "the mystic visions of ascetic women", and "the world of Salimbene" —Salimbene among the saints! In the latter, knightly society is the theme, chivalry and courtly love, Parzival, Walther von der Vogelweide,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

St. Louis, Froissart, Roland, Tristan, and Lancelot. In addition, there is a chapter on "the heart of Heloise", as an illustration of genuine medieval passion. The next book, "symbolism", is tantalizingly brief; only lengthy quotation could do justice to some of its contents and to the author's sympathetic insight. The sixth book, "Latinity and the Law", deals with the spell of the classics, evolution of Latin prose and verse, and the medieval appropriation of Roman law. The last book, "the ultimate intellectual interests of the twelfth and thirteenth centuries", treats mainly of scholasticism and its great exponents, but also has chapters on Roger Bacon and Dante.

There is little to criticize in the execution of the work as outlined above. Well-selected extracts from the sources, which make up probably one-fifth of the two volumes, furnish valuable illustrations. The translation is well done; but *Podiensis urbis* (II. 176) should be translated the city of Puy and not "some city on the Po". This slip may serve to illustrate the fact that the author is naturally not as well informed on the subjects which only slightly concern his theme, and he occasionally falls into error. For example (I. 523), he states that "as the tenth century passed, fiefs [in France] tended to become hereditary"; the provisions of the Truce of God (I. 529, note) are incorrectly summarized; the *Dictatus* are still ascribed unhesitatingly (I. 245) to Gregory VII. and to the year 1075; twice there is an anachronistic usage of the title "Holy Roman Empire"; the age of Frederick II. is given wrongly (II. 32); the first sentence on page 537 of volume I. contains two errors concerning Godfrey of Bouillon; the author uses (I. 506) the term "markets" where he should have written fairs; etc. But these are matters of minor importance which do not affect the main theme, which is admirably treated.

There is little discussion of heresies, because they "present no continuous evolution like that of the proper scholasticism. Progress in philosophy and theology came through *academic* personages, who at all events laid claims to orthodoxy." The author's point of view also causes him to lay little stress upon the scientific interests of the twelfth and thirteenth centuries, although he does refer to them frequently, especially in discussing Roger Bacon. While he insists upon following the line where the continuity is most clearly evident, he shows, in his chapter on Duns Scotus and Occam, "the scholastic decay" in the fourteenth century. The scientific interests and the political theories of the twelfth and thirteenth centuries, which are scarcely mentioned, were destined to have a future.

The last paragraph voices the disappointment felt in finishing this work. Mr. Taylor is so well equipped for his task! The broad foundation of his learning already proved by his previous volumes and here shown by the mastery of the sources, his knowledge of the secondary works—in the bibliographical notes we have discovered only one real omission: Vinogradoff's *Roman Law in Mediaeval Europe* is not cited in

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

chapter 33—his excellent summaries of the views of other men, his good sense and humor so frequently cropping out, his capacity for sympathy, the preface to this book, led us to expect a broader definition of "the mediaeval mind", a discussion which would have thrown more light upon the rapidly changing society of the twelfth and thirteenth centuries, upon the dissatisfaction with the old conditions and the craving for new knowledge in many fields. He chose and has admirably accomplished a different task; and no student of things medieval can safely neglect this interpretation of the "mediaeval mind".

DANA CARLETON MUNRO.

A History of Wales, from the Earliest Times to the Edwardian Conquest. By JOHN EDWARD LLOYD, M.A., Professor of History in the University College of North Wales, Bangor. In two volumes. (London and New York: Longmans, Green, and Company. 1911. Pp. xxiv, 1–356; vii, 357–816.)

IT is a good while since the history of Wales has been treated on an extensive scale, and this fact alone would make the appearance of Mr. Lloyd's book a matter of some importance. For the past few decades have witnessed considerable activity in the investigation of the language and literature, the archaeology, and the general history of the principality, and some survey of the results has come to be highly desirable. But Mr. Lloyd has produced much more than a mere digest of information and opinion, useful as that would have been; he has written a comprehensive description of medieval Wales and a well-ordered narrative of its development. Beginning with remote matters of geology and ethnology he takes up with some fulness the history of Celtic and Roman Britain, the origins of British Christianity, the course and character of the Saxon conquest, and the relations of the Britons with the later Scandinavian vikings. Then follow extended descriptions of the topography of Wales and of its early legal institutions. Down to the time of the Norman Conquest the method of the book is, from the nature of the material, not so much consecutive narrative as discussion of movements and conditions. But from that point on, the ancient records being much more extensive, the author is able to trace in chronological course, and with much detail, the successive stages of the absorbingly interesting struggle between the Welsh and the English—a struggle which from one point of view meant the gradual loss of Welsh political independence, and from another meant the development of a kind of nationality within the principality. The endless petty quarrels of princes and feudal barons, by reason of which one generation in this turbulent period seems almost a repetition of every other, make the general course of the development somewhat hard to follow, and a compact survey of the whole, say in a final chapter, would have added to the clearness of the narrative, at least for the general reader. But Mr. Lloyd secures a kind of perspective by the device of introductory or closing paragraphs

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in many of his chapters, in which he sets forth the salient facts of a period, or of a man's career, and comments on their significance. The details of his story are also managed with skill, and the actors in many cases are well individualized.

Mr. Lloyd's chief interest and his first-hand work seem to be mostly in the later portion of the book, beginning, perhaps, with the account of Welsh topography in chapter VIII. But the earlier chapters are also thoroughly competent and trustworthy. Dealing, as he does in them, very largely with debatable problems and with theories scarcely susceptible of proof, the author has often adopted the plan of presenting alternative opinions. Sometimes, as in the account of the palaeolithic climate (on p. 3) or the exposition of the opposed views of Rhys and Meyer concerning the origin of the Goidels in Wales (on p. 97 ff.), he does not take sides; but again, in dealing with the controversy of Zimmer and Williams on early Welsh Christianity (p. 105), he plants himself almost too squarely on the side of Dr. Williams. In nearly all such cases, however—I say "nearly", because his statement of the theory of non-Aryan influence on Irish and Welsh syntax (p. 16) seems to me to be an exception—he makes the state of the question clear, and separates matters of fact or of general consent from matters of uncertain interpretation. His state of mind is on the whole so cautious that the reader is surprised, and by no means displeased, by an occasional flight of fancy like that on pages 14–15, where the long-barrow men are credited with an "appearance of mildness which it might not have been safe to presume upon", and are compared to "the typical collier and *cisteddfodwr*, impulsive and wayward, but susceptible to the influences of music and religion". Now and then, in the first part of the work, one would be glad of fuller treatment of the subject. Mr. Lloyd does not, in general, discuss problems there elaborately or make new contributions to their solution; and some matters of especial interest, like druidism, are scantily dealt with. The earlier chapters also suffer, in comparison with the later ones, from a disadvantage for which the author himself apologizes in his preface. They were written some time before the body of the book, and it proved practically difficult to bring them quite up to date. The reader is consequently disconcerted here and there by finding opinions stated in the text and retracted or qualified in the foot-notes (see pp. 29 and 30).

But I have mentioned what are mostly trifling defects in a book of high general quality and of much usefulness. Not the least of its excellences, I may add, is the breadth of its survey of all aspects of Welsh life and civilization. Account is steadily taken, for example, of literary material both Welsh and Latin, and both secular and ecclesiastical; and students of the literary history of Wales will find in the work numerous observations which concern them and some detailed discussions of value.

F. N. Robinson.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Speakers of the House of Commons, from the Earliest Times to the Present Day, with a Topographical Description of Westminster at Various Epochs, and a Brief Record of the Principal Constitutional Changes during Seven Centuries. By ARTHUR IRWIN DASENT. (London and New York: John Lane Company. 1911. Pp. xl, 455.)

UNTIL the turn of the century no attempt had been made to trace the development of the office of Speaker of the House of Commons, although the office is nearly as old as that of the Lord Chancellor, and from some aspects quite as important besides being always more in the public eye. Two histories of the chair have been published since 1900. Mr. Dasent, exceptionally well qualified for such an undertaking by reason of his service as senior clerk in the House of Commons, adds a third, and students of English constitutional history are thereby indebted to him for an addition to the growing list of books on Parliament based on ample research. Mr. Dasent is in an environment that makes such research possible under congenial and helpful conditions, and the advantageous conditions under which he worked—at St. Stephen's, in the muniment room at Westminster Abbey, and at the Record Office—as well as the aid he received from Sir Courtenay Ilbert, clerk of the House of Commons, and other of his colleagues of the Commons staff, are frequently evident in his pages and duly acknowledged in his preface.

Manning's *Lives of the Speakers*, published in 1851, would seem to have suggested to Mr. Dasent the task to which he set himself—for it is the Parliamentary and extra-Parliamentary careers of speakers since 1295 that form his chief interest. But while the personal aspect is dominant, and while Mr. Dasent has traced the careers of one hundred and twenty-nine speakers and incidentally added much to English biography, his book has at least four other distinct values. It traces the connection which existed until 1547 between Parliament and Westminster Abbey, of which the only obvious survival to-day is the custom of opening the gate from Dean Yard into Great College Street on the first day of a new session. It identifies the various chambers at Westminster and at Blackfriars, in which the Commons have sat; and it embodies the fullest history of the palace of St. Stephen's that has yet found a place in any history of Parliament. It chronicles the constitutional developments that were contemporary with a speaker's tenure of the chair; and it also notes each evolution in the office of speaker until, half-way through the eighteenth century, in the speakership of Arthur Onslow, it had, except in a few details, reached the plane on which it stands to-day.

Mr. Dasent has thus worked to five distinct ends, and incidentally he has added to what has hitherto been known of the Rolls of Parliament and the Journals of the House of Commons. He has also supplemented what is already in print concerning the date when members of the two

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

political parties grouped themselves to the right and left of the speaker's chair. Wherever Mr. Dasent is concerned with the topography of the immediate neighborhood of St. Stephen's, and where he goes a little further afield to Soho and Blackfriars, he adds interest and value to his pages, notwithstanding occasional digressions into present architecture, which, in view of the rapidity with which the face of London is changing, may have lost their point long before *The Speakers of the House of Commons* ceases to be of value to readers and students. There are one hundred and two illustrations. Eighty of them are of speakers. Of the others a map of Westminster, as Speaker Onslow knew it in 1740, is likely to be the most serviceable to students of the history of England in the eighteenth century.

E. P.

The Dawn of Modern England, being a History of the Reformation in England, 1509–1525. By CARLOS B. LUMSDEN. (London: Longmans, Green, and Company. 1910. Pp. 303.)

No writing of history is ever final. Even though no new material comes to light, the emphasis in history changes and the interpretation has thus to be adjusted to an altered *Zeitgeist*. This readjustment is especially necessary for periods full of party strife. Few would maintain that the history of the French Revolution has yet been written on lines destined to prove permanent. This is equally true of the Protestant Reformation and any attempt to rewrite it should be welcomed. The spirit of the present day lays emphasis upon the social consequences of religious movements and takes slight account of dogma. We find in the volume under review, written from the Roman Catholic standpoint, this spirit much in evidence. There is almost nothing about the theology of the Reformation; the author has always in mind the social results of the great change.

It must be admitted that the tone of the book is not wholly admirable. The author tilts against the Protestant assailants of his church and shows them scant courtesy.

> Their statements about the teaching of the Catholic Church are such that the veriest little Catholic child would be competent to teach them the truth—though to teach them courtesy and charity would be an impossible task to anyone. . . . Misrepresentation has ever been a favourite weapon of Protestant controversialists, whether they write under the guise of history or not (pp. 183, 214).

No doubt some Protestant writers have assumed too much. We are reminded here that the Bible was freely translated and circulated before the Reformation. Principal Lindsay, whose work is far removed in spirit from that of the present author, has described the large number of translations in use in Germany before Luther and it must be regarded as one of the mysteries of history that Luther should not have seen a complete copy of the Bible until he entered the convent at Erfurt. Mr.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lumsden makes another strong point. Not the sixteenth but the fifteenth century gave birth to some of the greatest movements of modern times. It saw the invention of printing, the discovery of America and of a sea route to India: it developed a great humanist revival: it has a magnificent record in art. The sixteenth century merely carried on what the fifteenth began, so that Mr. Lumsden can, with some exultation, proclaim that it was not the Protestant Reformation in the latter century which produced these great changes.

To him indeed the Protestant Reformation brought almost unmixed evil. It was the expression of the individualistic tendency of the age. Commerce was growing individualistic and the lust to become rich caused its leaders to break away from the restraints of corporate guild life. Luther proclaims this tendency in religion. According to Mr. Lumsden, he is a great egoist and his doctrine of the individual's justification by faith alone implied that man existed merely for himself and not for the community of which he is a part. Emphasis upon faith, says Mr. Lumsden, led to slackened emphasis upon good works. Ethics were divorced from economics. In earlier times even princes had sometimes assumed the beggar's garb to show their oneness with the poor. Now such good works were discouraged. Protestantism in its regard for the individual fostered a class spirit, emphasized the gulf between rich and poor, and multiplied the injustices in society. Medieval England, compared with Protestant England, was a moral country. Whatever vice there was in a writer like Chaucer he learned from a foreign source, Boccaccio. Our author ventures to say that

> nowhere, either in England, Germany, Switzerland or the Scandinavian countries, did the advent of the Reformation bring about an advance either in theoretical or practical morality, but quite the contrary. If the moral state of England was bad in the reign of Henry VII. and the early years of the reign of his son, it grew worse and worse from the breach with Rome right down through the whole Tudor period, and . . . down through the Stuart line also (p. 187).

One wonders whether Mr. Lumsden can really know that this is true. At any rate, he does not lack courage.

Here we have reconstruction of history with a vengeance. It is noteworthy that such reconstruction goes hand in hand with certain frank admissions. It is a fashion, one might perhaps say a fad, among certain scientific historians of the present day, to call the great movement of the sixteenth century "The Protestant Revolt", since the word Reformation seems to involve pre-judgment. Our author, anti-Protestant though he is, knows no such scruples. He speaks frankly of the Reformation. What he calls "the ghastly pontificate of Alexander VI." shows what thorough reform was needed. He admits that the Church was wrong in applying the doctrine of indulgences to those who were dead; and so on.

As to the quality of the book one may say that the method, "history by suggestion", as the author calls it, is interesting. He has read widely

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and gives a portentous bibliography. Yet he makes curious slips—as for instance on page 44, when he calls a coronation service a marriage service. His style lacks finish; his paragraphing is defective and the English is often slipshod; for him the split infinitive has no terrors. One wonders what the average educated person would make of the phrase "smug cit" (p. 192). The author is very fond of the saying "as Mr. [So and So] has pointed out" and uses it with wearisome iteration. The table of contents is bad, giving no real suggestion of contents, and one set of head-lines carried throughout the book makes them quite useless to the reader. Yet the work is not without promise. If the author carries out his plan to bring the book down to the death of Charles I. he will write many volumes and he will improve. He will learn sobriety in judging those who differ from him and he will find out that the attempt to prove a theory is the deadly enemy of scientific history. His theme is an enticing one. No other period offers the really scientific student a more promising field than does the English Reformation. One hopes that Mr. Lumsden will come to walk in the footsteps of Mr. A. F. Pollard rather than to give himself to the type of biassed history that Mr. James Gairdner is now producing on the Reformation. Every page of Mr. Lumsden's book shows that he is young. He can therefore learn.

The Archbishops of St. Andrews. By JOHN HERKLESS, Professor of Ecclesiastical History in the University of St. Andrews, and ROBERT KERR HANNAY. Volume III. (Edinburgh and London: William Blackwood and Sons. 1910. Pp. ix, 270.)

WE have already reviewed volume I. and volume II. of this work. Volume III. proceeds on the same lines and consists of a life of James Beaton who filled the see of St. Andrews from 1522 to 1539. The volume proceeds breathlessly for it is not broken up into chapters. We could wish that the style of the authors were more animated. There is here almost a diary of the life of James Beaton, told with adequate knowledge and research. Little light is, however, thrown upon the conditions of church life in Scotland, in what was an interesting period. In a word the book must be ranked as dry-as-dust, in spite of its learning.

There were three Archbishop Beatons in the sixteenth century, this James, who was archbishop of Glasgow and then of St. Andrews, his nephew David, of St. Andrews, who became a cardinal and was murdered in 1546, and a later James of Glasgow. James Beaton of St. Andrews was a typical worldly prelate. His life was not stained by open vice, but he was entirely secular in his outlook. England and France were rivals during this period and Wolsey, aided by the Dowager Queen Mary, sister of Henry VIII., was seeking to attach Scotland to the policy of England. Beaton became the leader of the party favoring France, and it throws an interesting light on the spirit of the time to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

find that Wolsey made strenuous efforts to kidnap him and hold him prisoner. The archbishop is described by a contemporary as "crafty and insinuating". It shows his secular character that he sometimes wore a coat of mail under his ecclesiastical vestments. When we compare him with the stately, highminded, scholarly Warham, and with Cranmer, his contemporaries at Canterbury, we realize how different was the English from the Scottish Church. It is true that there was a certain generosity in Beaton. He founded St. Mary's College, St. Andrews, but he worshipped the god of things as they are, and was aroused to action in spiritual matters only when the existing conditions were menaced.

It thus came about that Beaton has the evil distinction of being the first persecutor of the Protestants. Patrick Hamilton, a youth of good family, went, in 1527, to study at Marburg, and was profoundly influenced by the teaching of Luther, whom however he never met. He returned to Scotland in the same year, and announced his new faith so openly that he was quickly cited to appear before Beaton. The two men were, it is said, related. Beaton, as archbishop, condemned him as a heretic and he was burned at St. Andrews on the day the archbishop's sentence was pronounced. There is no record of any action by the secular power, and it may be that Beaton, in his heat and fury, sent the young man to execution on his own authority. Hamilton was the first martyr of the Scottish reformation. The archbishop who condemned him had no understanding of the heart of the Scottish people. There was a gulf between the prelacy and the masses, and the profound dislike which the prelacy aroused was to lead to the rigid Presbyterianism of the Scots, still one of the vital forces in the world. As we have said before, prelacy in England never was so completely secular in tone as it became in Scotland and this goes far to explain why the state church in England is still Episcopal while in Scotland it is Presbyterian.

Andreas Vesalius the Reformer of Anatomy. By James Moores Ball, M.D. (Saint Louis: Medical Science Press. 1910. Pp. xvii, 149.)

In that earlier stage of societies, when they are held together by what Bagehot called the "cake of custom", the art of war and the development of law stand under no disadvantage; with the art of medicine it is otherwise. Medicine for its progress is largely dependent upon the analytic reason, upon what is called natural science. For its progress the verification of premises must be methodically established, and the ancillary sciences must be moving forward with no unequal steps. At the same time it is too much to say that without anatomy there can be no art of medicine, intimate as is the connection of these two subjects. In the Hippocratic period—and it does not do to speak of its documents as largely "spurious", for all of the collection, under whatever authorship, is of ancient date—the body of clinical medicine, espe-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cially on the surgical side, was very considerable and useful, while anatomy, except in respect of certain of the more palpable bones and joints, had not even come to the birth. At the same time it is true that the flourishing of anatomy, as of any other science, is significant of a general intellectual life and progress by which medicine, as other studies likewise, must profit. Anatomy has suffered in the past from certain disadvantages, not inherent in other studies, which hindered its development. It is not a very dainty subject, as Cicero and Madam Vesalius perceived; moreover against the dissection of the human body there has always been some prejudice, not without justice in ages when religion was material in method, and when the respect for human life needed strong sanctions. Hence dissection, if permitted at all, fell to the lot of menials, the professor regarding the performance, from his throne, with an easy patronage.

Every man is the product of his age, but few masters have sprung so suddenly from chaos and darkness as did Vesalius. Mondino was a very respectable but not a very effectual person. Berengar did more; but the secret of their failure and of the conspicuous success of Vesalius, lay in this great small matter—that Vesalius put his own hand to the work. With my own scalpel I did it! Impatiently he thrust aside the clumsy barbers who spared the fastidiousness of the professors and their pride of caste. The portentous da Vinci probably did the same, but his work did not see the light. Need we stay to point the moral!

Protected by the powerful and relatively free Venetian Republic Vesalius had much of a free hand also; a freedom which under Philip of Spain he bartered away. It is less likely that he burnt his later papers in a fit of despair than in fear of inquisitorial visitations; happily the great *Humani Corporis De Fabrica*, with its marvellous contents, illustrated by the artist probably on the whole the best fitted of all in that day of artists for the achievement, escaped all accident, and was published in a worthy form. The lost papers may have been of less importance; they may have contained minor facts which were thus left for the discovery of later observers; and in them we may have lost the first foundations of pathology: but in large part they seem to have consisted of pharmaceutic and therapeutic materials for which the master of anatomy could not then have been so brilliantly equipped. As regards physiology, what Vesalius could at that period have given us probably appeared in the *De Fabrica*; and it can scarcely be admitted that the passage on the circulation, quoted by Dr. Moores Ball (p. 110) takes the reader much if at all farther than the knowledge of his forerunners. It had long been recognized that arteries and veins ran together, and furthermore that they co-operated in some obscure flux and reflux.

Dr. Ball has done good service by the preparation of this beautiful book; a popular life of Vesalius was much wanted, and the want is well fulfilled. If some passages in the introductory chapters are a little thin, and perhaps not always quite sound in learning, no such criticism

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

can be brought against the body of the book, which is as well informed as it is well balanced. Dr. Ball—who acknowledges his debt to the "monumental work" of Roth (1892)—is as scrupulous in doing full justice to the predecessors and successors of Vesalius as he is excellent in his picture of the man himself, and in the description of his work. These appreciations of his immediate followers are a very useful and interesting feature of the book, and very competently and succinctly done. On one point we think the scientific ideas of the past do not receive full justice, either from Dr. Ball or from other historians of medicine; namely, concerning the "vital spirits" of the arteries. Galen, and probably the Alexandrians, saw herein more than the common bellows notion of regulation of heat and cold; in their confused way they had the right idea of a blood reanimated by the air, of *pneuma*—the "spirituous blood" of Servetus and Columbus. They had glimpses of the oxygen they could not catch.

The volume is a very handsome one, beautifully printed and illustrated; indeed it would be well if the publishers were to see their way to print a smaller and less sumptuous edition for modest purses; in which case the index might be considerably improved. From it, among other defects, we cannot find out if Dr. Ball, in stating rightly enough that hitherto we have had but one authentic portrait of Vesalius—the frontispiece of the *De Fabrica* (Basel, 1542)—has any opinion concerning the story in *Janus* (1905) of a portrait recently acquired by a medical museum in Amsterdam. Dr. C. E. Daniels (*loc. cit.*) discussed the credentials of this picture in close detail, and concluded that it is by von Calcar, and from the life.

CLIFFORD ALLBUTT.

The University of Cambridge. Volume III. *From the Election of Buckingham to the Chancellorship in 1626, to the Decline of the Platonist Movement.* By JAMES BASS MULLINGER, M.A. (Cambridge: University Press. 1911. Pp. lx, 743.)

THIS handsomely printed volume, bound in the light blue of the University of Cambridge, comes, after long delay, as a welcome addition to the two volumes on the history of the university published by the accomplished librarian of St. John's College, in 1873 and 1884 respectively. The author pleads his duties as lecturer on history and his desire to avail himself of the wealth of material furnished by the *Dictionary of National Biography* in justification of the tardy appearance of the work. It will be none the less welcome. The period of which it treats, "from the Election of Buckingham to the Chancellorship in 1626 to the Decline of the Platonist Movement", involving as it does the Civil War and the Restoration, is one of the most perturbed in the life of the university itself, and at no time in its history was the university a larger factor in the life of the nation.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Such a volume is necessarily less easy reading than a biography or the history of a campaign. The number of individuals, the variety of their interests, the largely scholastic and literary character of their activities, render the picture involved; and the author has been more sparing in general summaries of periods and tendencies than the reader could wish. The individual characterizations, though brief, are however excellent, and the impression of the manner in which the university weathered the storm and stress of these eventful years is definite and satisfactory.

The author gives a sympathetic discussion of the share of Cambridge graduates in the upbuilding of New England, especially of Harvard University, but with the use in large measure of older rather than the more recent historical material and with little that is novel to the student of New England affairs. A point of curious interest is his demonstration of the influence of the theory of the learned fellow of Christ's College, Joseph Mede (1586–1638), in the formation of Cotton Mather's curious opinion that the New World was the special dwelling place of satanic powers driven forth from the Old by the progress of Christianity.

Of interest to teachers of history is the author's account of the foundation by Fulke Greville, the first Lord Brooke, probably through influences emanating from Francis Bacon, of a chair of history in the university in 1627, the occupant of which was not to be in holy orders, and was to be free to lecture on whatever field of history, secular or ecclesiastical, he should elect. Holland furnished the incumbent in the person of Isaac Dorislaus, of Leyden; but though the lecturer in discussing the *Annals* of Tacitus had declared the monarchy of England the best of all governments, he was not sufficiently definite on the divine right of kings to satisfy sensitive ears, and by the time of his second lecture complaint was made to Laud, with the result that though the lecturer signified his willingness to make satisfaction, the lectureship was discontinued, and instruction in history had long to wait in the university.

Buckingham's services to the university during the few months between his election to the chancellorship and his assassination, and especially his proposal to erect a library which that deed prevented, cast a pleasing light on some of the qualities of the royal favorite.

In the involved fortunes of the university during the Civil War, when Churchmen gave place to Puritans and Independents thrust in by authority, and in the equally arbitrary acts which followed the Restoration, the author tells the story with impartiality and clearness. His treatment of the Cambridge Platonists is at once sympathetic and discriminating. He makes plain their merits and their shortcomings alike, and the volume closes with their work. Its use is facilitated by a copious index, but especially by a remarkable table of contents of no less than forty-eight pages, which is almost an epitome of the work.

WILLISTON WALKER.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

An Historical Relation of Ceylon, together with somewhat concerning Severall Remarkeable Passages of my Life that hath hapned since my Deliverance out of my Captivity. By ROBERT KNOX. (Glasgow: James MacLehose and Sons. 1911. Pp. lxviii, 460.)

AMONG the many descriptions of strange lands published in the sixteenth and seventeenth centuries the *Historical Relation* of Robert Knox occupies an honored place, not only because of the author's unique experience as "a captive for more years than he had lived to the time of his captivity", but also because of the patent truthfulness and hard-headed, prosaic nature of the man, which kept him from improving upon the facts he presented. The accident which cast him away almost solitary on an island known only along its littoral and made him a sort of curiosity to the native king occurred before he was educated enough to know the literary and financial benefit of inventing lies. Before he was twenty he was exhibited about the land and later travelled over it earning his living by handiwork. On escaping he prosaically told his story, partly, as he says, to give himself something to do, partly to relearn the art of writing, and partly for the glory of God. This unvarnished tale soon became the best seller of its day and was translated into French and Dutch, so that soon after "all the bookes were bought up", and as he had given his bond not to reprint the *Relation*, he subsequently added his autobiographical notes. The addition of Knox's autobiography with other notes, based on a find made in the Bodleian Library last year, gives its chief historical value to the present edition, though even without the new material a complete reprint of the *Relation* would have been welcome. The editor suggests the question whether Defoe, who knew Knox, may not have been indebted to the *Relation*, and the new autobiographical matter here preserved in convenient form may be helpful in solving this interesting point. Mr. Ryan, the able editor, has done well to preserve the text practically unchanged. We may see here, apart from the narrative itself, how a youth's education served at that time to instil into him more piety than syntax (spelling was rudimentary). "To part my Father and I"; "a bird sets on a tree"; "the countrey wants her water" are evidently unstudied examples of how one naturally spoke *circa* 1680.

The historian knows this book already, so it will be necessary for the reviewer only to point out that Mr. Ryan has brought out the work well and that what new material is provided is of interest chiefly in telling us more of the inner life of the good Puritan captain, together with some details as to his clothes and other trifles, which he forgot to mention in his "great Booke". One cannot but admire the rough sincerity and common sense of the man whose piety is so well modified by natural sagacity that he can explain the endemic "Sicknesse of Bencoolen" as due to "a contagious Aire which proceedeth from no other cause but the will of the Almighty Creatour, who tourneth a fruitfull land into Barrennesse for the Wickednesse of them that Dwell tharin", and hav-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing, so to speak, done his duty by the Almighty, then proceeds to explain the "Concurrant Causes" of the trouble, "as first theire houses are leeke and wet. Secondly the Dyett is nasty and also the dishes . . . and thirdly the rotted rice they eate". He gets into a controversy with Captain Dampire (in the biography) over the relative merits of the "plantine tree" and the "Cocornut", and enumerates fourteen virtues of the latter, not to injure the Captain but "to doe the Cocornut tree Justice". He also recognizes his captors' good qualities, and here also the autobiography adds a touch or two that is not without human interest: "These heathen are very Compationate to indigent people of what nation or Religion soever, and theire Common or usual saying in such a case is (Omma gea Durria) He is a Mothers Child".

Were it not that this book is two centuries old and too well known to review in detail we would remind the reader of the many picturesque details to be found in the *Relation* besides its ethnographic value in giving an intimate account of the products, trade, manners, morals, and political state of Ceylon's interior, at a period when the "city three-square like a triangle" was known to only one white man. The narrator may have had an elastic conscience. He says himself, regarding the business of robbing the Indians, that he would not allow himself 'to wade far into the Equity and Justnesse of such Actions, since my Commission according to human law would beare me out"; but whereever his descriptions can be controlled they shine with truth. Thus he says that the heathen will not kill to eat but have no scruples about eating meat killed by another. He means the Buddhists, and this was their rule in India. He says that they can go through the "Oyl" ordeal and come unscathed from the boiling fluid. So they can, and Knox testifies to what he saw (adding also, "whether it be their innocence or theire Art, I know not"). The remarkable tales he tells of door-sitting are strange to him, but practices in India and China make them plausible. His proverbs of the country also ring true: "He that hath Money to give to his Judge needs not fear"; "If the planets be bad, what can God do against them?" Testimony of this sort based on comparative literature is fairly trustworthy and may add to Knox's reputation for veracity in other matters, which has not been entirely unquestioned. The original plates and paging are reproduced in the present volume.

Acts of the Privy Council, Colonial Series. Volume IV., A. D. 1745–1766. Edited through the direction of the Lord President of the Council by JAMES MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC W. FITZROY, K. C. V. O., Clerk of the Privy Council. (London: Wyman and Sons. 1911. Pp. xxxii, 876.)

THE fourth volume of the *Acts of the Privy Council, Colonial Series,* carries the extracts of the Privy Council Register from 1745 to 1766

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and covers thereby a very important period of colonial history. No other series of British official publications has yet dealt with these years, except the *Calendar of Home Office Papers* and that only for the brief period from 1760 to 1766. For this reason the present volume is exceptionally welcome. A fifth volume, soon to appear, will complete to 1783 the entries from the Register, and a sixth, which will not be long delayed, will deal with the unbound papers. Thus this noteworthy publication, one of the most important of its kind and put through with a rapidity which reflects great credit upon its promoters, is nearing completion, and when finished will stand as a permanent source of great value to the student of British colonial policy.

The contents of this volume are essentially the same as those of volume III. The Council had settled down into a more or less definite routine of official procedure. Several entries show, even more conclusively than before, that the committee was but the whole Council acting in that capacity, as when it was ordered "by His Majesty in Council that the whole Privy Council or any three of them, Be, and they are hereby appointed a Committee for the Affairs of Jersey and Guernsey, Hearing of Appeals from the Plantations, and other Matters that shall be Referred to them" (pp. 484–485). The chief concerns of this committee, as of the Council itself, were the confirmation or disallowance of colonial laws, the issue of commissions and instructions to the colonial governors, and the hearing of appeals from colonial courts. Other colonial business occasionally appears, but none of it was periodic as was the case with these three aspects, which appear systematically and regularly among the entries. In conjunction with the issue of commissions the Council made an effort to put colonial business on a more organized footing. It scrutinized much more carefully than before the appointment of colonial officials, recommended the codification of colonial laws, and endeavored to check the growth of absenteeism or the performance of colonial duties by deputy. It may be, as Mr. Munro thinks, that the Board of Trade had ceased to be more than a body for reference and report, though the evidence to that effect is far from conclusive and seems less conclusive during Halifax's régime than at some earlier periods, but certainly the representations and reports of the board were never so frequent or its actual influence greater than during these years. Its representations and reports, here recorded, number nearly two hundred and fifty. It is true that a number of its reports were comparatively unimportant and that others were sent back because not signed "by a sufficient number of hands" or for other reasons not given; but the first of the reports to be so treated is of as late a date as 1763, and as witnessing any reflection upon the board is not very significant. In one particular at least the board enters upon a great improvement. It takes pains, in sending in the draft of a governor's instructions, to specify what portions are new, a practice which had it been followed from the beginning would save the student much painful labor.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Not only was the Council endeavoring to lighten the administrative machinery of the colonies, by scrutinizing appointments, but it was also endeavoring to strengthen the king's legislative control by affirming the necessity of the suspending clause and by enlarging the governor's instructions in all matters that concerned that official's attitude toward the passing of colonial acts. It approved the statement of the Board of Trade that for the colonial legislatures to repeal or alter laws confirmed by the crown, without a clause of suspension, was to destroy the power by the crown to direct or govern the colonies and to secure to its subjects their just liberties and privileges (1752). It made vigorous efforts, through the governor's instructions, to sustain the royal prerogative in the colonies as against the encroachments of the popular assemblies, and the committee declared as late as 1765 that such encroachments affected the king's authority and the liberty of his subjects and tended to throw the affairs of the king in the colony into the greatest confusion. We get much light also on the Indian policy of the Secretary of State and the Council, and are better able to understand the great change of plan which was leading to the Proclamation of 1763, a document long misunderstood by our historians. The real reasons for that proclamation are here given on pages 749–751.

Mr. Grant having withdrawn from the undertaking, the preface is signed by Mr. Munro alone. It is a thoughtful essay, characterized by insight and impartiality. From most of its contentions we would not differ, and in all that it says of tendencies in the West India colonies that parallel like tendencies on the continent we feel in hearty sympathy. To that phase of our colonial history practically no attention has been paid in America. But the preface contains a few omissions and errors that might easily have been remedied. The well-known Order in Council of March 11, 1752, is given as issued in April, and Mr. Munro has passed over entirely the important order of May 15, 1761, though it is printed in this volume (p. 157). The order directing the colonies to revise their laws is confused with that of March 11 (given as April 14), whereas it was approved in April, having been favorably reported in January. The reference to § 652 on page x should be to § 651, and the date when Georgia became a royal colony should be 1752. The name of John Camm is given as Camin, which may be, or seem to be, the reading of the Register, though it is later given correctly. A curious slip, due to unfamiliarity with Indian topography and to a misreading of the text, places the Delaware Indians in Connecticut, and the name of Wycoming for Wyoming, though so given in the entry, should have been corrected. The reference to Sir Matthew Lamb rouses the suspicion that Mr. Munro is not familiar with the fact that Lamb was the regularly appointed legal adviser of the board, while his comment on the Bosomworth case in Georgia suggests that he has not examined the evidence in the controversy found among the Board of Trade papers. But these are minor points and weigh but slightly against the many excellent features which the preface possesses.

CHARLES M. ANDREWS.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Nelsons of Burnham Thorpe: a Record of a Norfolk Family, compiled from Unpublished Letters and Notebooks, 1787–1842. By M. Eyre Matcham. (London and New York: John Lane Company. 1911. Pp. 306.)

Burnham Thorpe is a Norfolk village of which the Rev. Edmund Nelson, the father of the celebrated admiral, Lord Nelson, was rector from 1755 to 1801. It was here that the admiral was born in 1758; here also his youngest and apparently favorite sister, Catherine, in 1767.

In 1787 Catherine married George Matcham, a retired East Indian official of handsome fortune. With her departure from home began a correspondence with her father which fixes the starting point in date of the volume before us. She kept his letters, which still exist; and from them the material of the book is largely drawn, though supplemented by note-books and other data. She outlived all her family, and her death in 1842 fixes the end of the book, she being the last of the Nelson generation that had found its home in Burnham Thorpe.

The interest of the book is mainly in the admission to the intimacies of a family private life, which in some degree formed the background of a great historical career. Of material for history there is very little, nor much even for biography; but those who receive pleasure from knowing something of the surroundings and personal relations of a distinguished man, whose public achievements have commanded their admiration, will be repaid by perusal. Such is the case with the present writer, and in that sense he commends the volume to others who may feel like himself.

Probably the most stimulating effect produced by the work is reflection upon the genesis of those great special—or specialized—aptitudes which we know vaguely as genius. That there was among the Nelsons of Burnham Thorpe a good average of strong character is fairly probable from the record spread before the reader; but nowhere among them does there seem to have been any capacity for achievement. Even in ordering matters of private life dependence appears to have been largely upon the future admiral; not merely, nor chiefly, in the days of his renown, when influence attached to his position, but before, when he was unknown. His energy, his faculty for accomplishment, were a mainstay. Nelson the admiral, and he alone in the family, was eminently one of those men who will arrive. He was so from first to last, and he was himself conscious of the fact. "I shall live to be envied" was one of his early utterances. What concurrence of obscure natural causes led up to this natural result, standing conspicuous, yet without precedent in a family line, before him, after him, and around him? In point of distinction of quality, he is without father, without mother, without descent, without family. The same ingredients, one may say, in all; but in none other anything approaching to, or even suggesting, the one exception. Does not genius, which is admitted, suggest an explanation of miracle?

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Of mentions in the book some may be cited. We are told on the authority of George Matcham, the brother-in-law, that it was the earnest wish of the admiral that "whatever boys of mine might live to be of age, they would adopt any profession other than that of arms, either as sailors or soldiers". Doubt is cast again upon the much-vexed question of the paternity of Horatia, Nelson's "adopted" child; and it is said that the admiral and his wife were so uncongenial, because of her temperament, that separation would have taken place had no Lady Hamilton appeared. This also rests upon the authority of the first George Matcham. "Lauded, admired, and sought everywhere but at home, where complaining and reproach formed a sad contrast to the merited reception he met elsewhere, he naturally turned from the spot, his heart sickened and revolted, and at last was completely estranged." Yet not long before he left England for the station where the entanglement began he wrote in a private letter, "I am possessed of all that is valuable in a wife". In 1800, when the infatuation was complete and Nelson not yet returned to England, his father, then an invalid of seventy-eight, wrote to Catherine Matcham, "I am weak and enervated, but the mind is strong; the body well taken care of by the best advice and best of care, by the unabated attention of your good sister-in-law, who is the very counterpart of her great and good husband". In later life the Matchams and Lady Nelson were reconciled.

Some of Matcham's utterances on other matters are of more general interest. "Many foreigners conceive we (English) are an uncleanly race from our not having a warm bath in every gentleman's house. Are they quite wrong in their conjecture? Clean linen alone will not make a person clean. . . . Yet we see houses built at the expense of tens of thousands of pounds without the consideration of spending a few pounds for a bath; a defect which excites the ridicule of foreigners and the regrets of travelled Englishmen. . . . The (present) frequent change of linen I think is owing to our greater intercourse with India." Again, "Smoaking tobacco is in England a forbidden indulgence."

There are several portraits, and other illustrations, which will possess interest for those already interested in the admiral.

A. T. MAHAN.

William Pitt and National Revival. By J. HOLLAND ROSE, Litt. D. (London: G. Bell and Sons, Ltd. 1911. Pp. xii, 655.)

THIS scholarly work presents the results of a careful study of numerous original materials recently made available in addition to those used by Stanhope, 1862, since which no detailed biography of Pitt has appeared. Dr. Rose has used Foreign, War, Admiralty, and Home Office archives; the Pitt manuscripts now in the national archives, and those preserved in several private houses; the publications of the British Historical Manuscripts Commission; and many recent memoirs, in addition to the more familiar works. Parliamentary debates are used, though

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

not generously, the author depreciating their importance and asserting that they should not be taken seriously as revealing either motives or ideals, since members were but playing the political game and were frankly conscious of that incitement.

In the absence of any considerable number of letters for the period of Pitt's youth, Dr. Rose can offer little more than previous biographers. The failure to discover letters the author regards as a distinct misfortune, even hinting that Bishop Tomline, in his portrayal of Pitt as a statesman, may have destroyed correspondence. On the other hand it is admitted that Pitt either lacked or restrained certain kindly, human qualities, and that his friendships were few. Also he was persistently negligent in his correspondence, so that light on his personality is lacking. In the absence of any exact knowledge of his youth, the marvel of Pitt's precocity in politics and government still remains. The author's lucid account of the fortuitous political situation, the emphasis placed on inherited genius, and the prestige of the elder Pitt's name, do not destroy the wonder at the sudden emergence of the statesman. Dr. Rose aptly quotes Bacon: "A man that is young in yeares may be old in houres, if he have lost no time", and he also emphasizes Pitt's wonderful self-discipline. He was "essentially methodical. His feelings, his words, even his lightest jests, were always completely under control." But even this does not explain the marvel of his selection as prime minister. Probably George III., in his fierce displeasure with the Coalition, took a desperate chance, with no realization of Pitt's abilities. The king, the author states, exercised a greater control in government, and even over Pitt himself, than historians have stated. He was "a sovereign who in the last resort gave the law to his ministers, and occasionally treated them like head clerks". Yet Pitt, it is asserted, was supreme within the cabinet. In diplomacy "at every emergency the British Foreign Office was directed by Pitt, and not by its chief, the Duke of Leeds". Dr. Rose attributes to Pitt practically unlimited power over his fellow ministers, but declares that the obstinacy of George III. seriously hampered him in the exercise of it.

The present volume covers the ten years of English history from the beginning of Pitt's Parliamentary career in 1781. In the matter of Parliamentary reform Dr. Rose is largely an apologist for Pitt, enumerating his difficulties and emphasizing the apathy of the country. Pitt's earlier enthusiasm gradually waned under the necessity of maintaining a majority, and after motions for Parliamentary reform were defeated, he leaned on "influence". Dr. Rose regrets this, but viewing all the circumstances, ascribes no blame to Pitt for his disinclination to continue a hopeless conflict. The effort for abolition of the slave-trade was also abandoned after failure, the author clearly bringing out the intensity and bitterness of the mercantile opposition to the measure. Pitt, inspired by Wilberforce, for whom he felt a more tender friendship than for any other man, had espoused abolition with vigor, but after successive defeats in

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Parliament, and in the stress of the conflict with France, was forced regretfully to withdraw from whole-hearted support. The irritation of the extreme abolitionists and their suspicions of Pitt's sincerity, the author considers unjust, pleading political exigencies and larger interests in extenuation. Dr. Rose's thoroughness is well exhibited in the treatment of the Nootka Sound affair, in the use both of recent monographs and articles, and of new material. With his modern vision of the importance of England's victory, comparing it to the "irruption of Cromwell's fleet into the Spanish West Indies in 1654", he possibly leaves an incorrect impression of Pitt's prescience, even though he admits Pitt's actual blindness.

The analysis of England's influence in the Triple Alliance is superior to anything that has yet appeared. Here Dr. Rose controverts in part the work of Sorel, of Lodge in the *Cambridge Modern History*, of Vivenot, and others. Particularly interesting is the credit given to Ewart, the British representative in Berlin, for formulating and pressing to organized effort the whole anti-Russian movement. Ewart has never had the credit due him in history, but the present work will do much to establish him in his proper niche in British diplomacy. The Triple Alliance greatly aided in the re-establishment of British prestige in Europe. In 1790 Pitt could point to industrial prosperity at home and influence abroad. "In seven years, crowded with complex questions, he had won his way to an eminence whence he could look down on his rivals, both internal and external, groping their way doubtfully and deviously." The summit of Pitt's career, according to the author, came in 1790, because of his successful efforts for peace. Faithful historical description "will reveal the truth, that a statesman attains a higher success when he averts war than when he wages a triumphant war".

Comparison with the author's *Napoleon I.* is inevitable. The older work is more attractive reading because of the greater dramatic interest of the subject-matter, but the *Pitt* unquestionably marks a great advance in Dr. Rose's scholarly breadth and presentation. If less popular than the *Napoleon I.*, the *Pitt* is more solid and authoritative, and shows a greater felicity of phrase and analysis. A second volume on *William Pitt and the Great War* will complete the work.

E. D. Adams.

Lettres de 1815. Lettres de 1812. Par Arthur Chuquet, Membre de l'Institut. [Bibliothèque de la Révolution et de l'Empire, vols. I., II.] (Paris: Honoré Champion. 1911. Pp. 368; 413.)

M. Chuquet announces his purpose in the collection which he initiates with these two volumes to publish personal letters and private documents emanating from secondary personages, subalterns, and minor officials, though not neglecting documents of a general or official character or letters and reports of high officials, military and civil. Occasionally translations of little-known documents, and brief notes and jottings will

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be included. It is therefore not exclusively a collection of letters, nor even of documents. Any pretense of confining the collection to unpublished material is frankly disavowed. The prefatory advertisement contains two other pregnant statements. It is guaranteed that the volumes shall be "aussi intéressante qu'instructive", and they will appear "quand et comme il nous plaira". In such cavalier fashion does this well-known historian seek to free himself from the obligations of historical method and careful scholarship, which should have been upheld by his notable example.

In the present volumes, the documents are arranged roughly in the order of the events to which they relate, but are not grouped into chapters, as might profitably have been done. Both the editorial and the typographical work are haphazard. Frequently it is difficult to distinguish documentary from editorial matter. Consistency is an unsought jewel. The editorial comments are frequently gratuitous, while needful matters receive no attention. Neither volume contains a map nor an index. It is hard to imagine the general reader finding these disconnected brief minor documents "interesting", and equally difficult to conceive how they will be "instructive" to the student conversant with the two subjects concerned. At best a few trifling foot-notes to history may be gleaned, and these mainly biographical details relating to minor characters. Public opinion and the sentiments of the army are depicted, but nothing new is revealed.

In selecting a title, M. Chuquet might well have followed the model of Miss Alcott's *Aunt Jo's Scrap Bag*. Into the scrap bag of these volumes, he is thrusting the unused documents and odd items that have caught his fancy during years of extensive research, just to get them off his hands. Each volume contains about 120 documents which are garnered from the archives of the War Department, with the exception of fifteen in the first volume and thirty in the second. The first volume deals mainly with the return from Elba and the second with the retreat from Moscow, but neither collection is comprehensive and documents of prime importance are often omitted. A satisfactory volume of select documents illustrative of either of these episodes would have a very different table of contents.

Only two documents in the first volume are distinctly valuable: Captain Forget's account (55) of the flight of Louis XVIII. from Paris, and General Abbé's narrative (71) of the campaign of the Midi, with its illuminating references to public sentiment. The narratives and testimony of Lessard (or Delessert) (16, 17), Randon (18), and Marchand (24, 25) of the events at Laffrey and Grenoble are important, but offer no confirmation of the statement of Houssaye and others that Randon ordered the troops of Lessard at Laffrey to fire on Napoleon. No other document makes essential addition or correction to Houssaye's *1815*. Extracts from the depositions at Ney's trial and other documents relating to Ney's "treason" (35–46) have a special interest. "Un colonel

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

de l'armée française" (76) makes serious criticisms of the conditions in the army.

The two leaders in the second volume, previously published anonymously, are ascribed to their proper authors by M. Chuquet. Captain Oriot (71) describes the retreat from Moscow to Smolensk, and Captain Briqueville (79) the retreat of the rear-guard under Ney from Smolensk to Orcha. Ney's modest official report (82) of this startling achievement is also included. The last episode of the retreat, the plundering of the military treasure-chests at Kovno, is recounted by their guardian, Colonel Heeringen (108). While this volume like the first contributes very little new information, it includes more documents of genuine interest and illustrative value, though the best are not among the "inédits".

GEORGE MATTHEW DUTCHER.

I Carbonari dello Stato Pontificio ricercati dalle Inquisizioni Austriache nel Regno Lombardo-Veneto (1817–1825). Documenti inediti pubblicati dal Professore AUGUSTO PIERANTONI. (Rome: Albrighi, Segati e Compagnia. 1910. Two volumes. Pp. iv, 492; 404.)

THIS is one of the most important and also one of the most inaccurately edited works in the valuable series, *Bibliotcca Storica del Risorgimento Italiano*, in which it is listed as volumes V. and VI. of the sixth series. Its nine hundred pages contain only documents, mainly portions of reports—without editorial introduction, notes, or subject index—on the examination of political prisoners by the imperial Austrian inquisition in the Lombardo-Veneto during the years 1819–1823, and some official correspondence relating to them. The publication of the reports has been made from a contemporary manuscript volume in the National Library Vittorio Emanuele in Rome, entitled "Estratti degli Atti dell' Imp. Regio Tribunale Criminale di Venezia interessanti lo Stato Pontificio". The authenticity of this manuscript volume is placed beyond doubt by the declaration of the secretary of the Imperial Royal Commission of *prima istanza*, who certifies in the volume itself that the proceedings herein inscribed are exact copies of those registered in the journal of the Austrian government for the use of the Pontifical government and were intended to contain such portions of the inquisitorial examination of prisoners in the Lombardo-Veneto as implicated citizens of the Pontifical States in the revolutionary conspiracies of the period. And it was by means of the information supplied by this volume that Cardinal Rivarola was able on August 31, 1825, to condemn in a single sentence four hundred and eighteen of the pope's subjects as political criminals.

It is only recently that this most important source has come into the historian's hands. Father Ilario Rinieri used it in an important paper in the *Civiltà Cattolica* in 1905, and also, though without naming it, in his *La Verità Storica nel Processo Pellico-Maroncelli*; one or two other writers after Rinieri quoted briefly from it; then Senator Pierantoni

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

managed to sequestrate it for four years during the unscholarly preparation of the present publication. Alessandro Luzio, in 1903, writing his important but not entirely trustworthy *Il Processo Pellico-Maroncelli*, knew of the existence of the manuscript volume, but although it contains portions of fourteen reports on the examination of Pellico and Maroncelli in Venice, 1821–1822, which are wanting in the Milan state archives in which Luzio worked, he failed to avail himself of it to fill in the historical gap. Had he examined Maroncelli's revelations made in Venice he would have been obliged to revise his published opinion of the "good Piero". On February 17, 1821, for example, Maroncelli in a dictated statement made before the Commission declared: "I cannot deny that in my depositions heretofore made I have maintained silence in regard to many matters and spoken untruly in regard to others. But I am now ready to tell the truth about everything, hoping that in the affair which I am going to relate, the Most Merciful Government will deign to consider my position, and especially that of my family, and concede to me and my brother that treatment which a man who is penitent of his transgression may hope to receive, and which I shall merit from the revelations which I am about to make" (I. 19). The disclosure of the most inviolable secrets and the betrayal of a host of companions and friends followed. In the course of his examination Maroncelli not only replied to the questions directly put to him, but with apparent eagerness entered repeatedly upon lengthy narration revealing what he knew of the whole flimsy web of political conspiracy, prepared by the Carbonari, the Masons, the Guelphs, the Spilla Nera, and other secret societies, with a fulness of circumstantial detail which would have done honor to the most odious political spy. Lists of conspirators were freely proffered; names of men of whom he had merely heard as secret society members and those of his most intimate associates were given with equal alacrity; their political views, their grades in the different lodges, the importance of their individual activities, all the information that was most damning to his fellow patriots was readily placed at the disposal of a police which Maroncelli knew to be infernally cruel in political repression and relentless even beyond the grave. And this was done, as he declared (I. 86), "to show his gratitude towards the Government"—that government against which he had himself conspired in company with several of the men whom he was betraying. Maroncelli may be pitied for the physical suffering and mental tortures which he was forced to endure in Austrian prisons, but after the publication of these reports of his conduct before the inquisition he can be classed only among the most vile and abject informers.

Of the reputations of the other twenty-seven prisoners whose examinations are reported in these volumes, few fare better in the new light that is thrown upon them than that of Maroncelli. Among the most noteworthy depositions made were those of Antonio Villa, Felice Foresti, Giovanni Battista Canonici, Antonio Solera, and Costantino Munari. Of the infamy of Villa much was already known. As to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Foresti, the charge that he betrayed his associates, brought against him ten years ago by Luzio in his *Antonio Salvotti e i Processi del Ventuno,* is fully confirmed by his depositions now made public. Many writers have hitherto denied the justice of Luzio's charge, maintaining that the official reports on which it was based were untrustworthy and had been falsified by the Austrian police. But the claims in exculpation of Foresti can no longer be maintained; unfortunately for his reputation many facts given in these reports of his depositions tally too well with the fragments of his own *Ricordi* published by Vannucci in a volume of the *Martiri,* to have been invented or inserted by the Austrian police. Foresti may now be said to have taken his place definitely in history among the informers.

The prisoner whose depositions were most creditable was Canonici. During the nine examinations to which he was subjected from August 21 to September 1, 1820, he showed much cleverness in his replies to the fiendishly shrewd inquisitors, shrouding his memory in a veil of uncertainty and giving as little information as was possible in the forced admissions. It is to be noted, moreover, that his depositions correspond perfectly with many statements made in his memoirs published in Bologna in 1848, *Un Tratto della mia Vita,* thereby furnishing further proof of the general trustworthiness of the Austrian police reports.

These proofs of the trustworthiness of the police reports are of the greatest importance to the historian, not only as enabling him to speak with certainty as to the character of the prisoners concerned, but because the depositions as a whole contain a treasure-house of detail upon the character, and aims, and working of the secret societies of this period in the Pontifical States. Much critical care must of course be exercised in the use of documents of this character, but with these volumes in hand it is not too much to say that a general history of Risorgimento secret societies becomes now for the first time possible.

To many students of Italian history it will be a disappointment that with this publication a few martyrs' crowns must come off. But an army of patriots and genuine martyrs remains, and the figures of the truly noble leaders stand out only the more clearly in the direct light thrown upon their weaker associates, many of whom are seen to have been but sorry novices in the field of patriotism, apt in dabbling with decorations of masonic and other secret lodges, but lacking the fibre to endure the test of Austrian police torture.

With regard to the editing of the volumes, it is to be noted that Senator Pierantoni carefully avoids all mention of the originals from which his documents are published, avoids all reference to the manuscript volume of "Estratti degli Atti" described above, and avoids stating that his documents are to be found in the National Library Vittorio Emanuele in Rome. His text is full of errors and it would appear that he was conscious of the wretched character of his editing and was unwilling that scholars should collate his volumes with the originals.

H. Nelson Gay.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Cavour. Von WALTER FRIEDENSBURG. Erster Band. *Bis zur Berufung in das Ministerium, 1810–1850.* (Gotha: Friedrich Andreas Perthes A.-G. 1911. Pp. xi, 417.)

IT is noteworthy that the Germans, who have been indefatigable in producing historical monographs on almost all periods and persons, have neglected Cavour and the later Risorgimento. Nearly forty years have elapsed since Treitschke wrote his pithy essay, and Otto Speyer his pleasant narrative on Cavour, and Reuchlin's history, excellent at many points, especially when we remember that he produced it while the later events he describes were unfolding, dates from even farther back. Kraus's sketch is recent (1902), but it is hardly systematic enough to be classed among formal biographies. Perhaps the development of the unified German Empire on lines quite different from those which Cavour followed for the unification of Italy, may partly explain this neglect. So long as Bismarck lived, he not only absorbed the attention of his countrymen, but he seemed to them so *kolossal* as a state-builder that no other could be worth considering. Under the present Kaiser, also, absolutist ideals have been so popular, that it was hardly to be expected that the career of the greatest of European Liberals in the nineteenth century should be widely studied. Even Treitschke, despite his admiration for Cavour's genius, was too full of the then recent Prussian victories, not to let one infer that Cavour made an irreparable blunder in not being born a Prussian. We welcome, therefore, Dr. Friedensburg's biography; for whether it takes its place or not as an adequate life of Cavour, it will at least throw light on the opinions which learned Germans hold to-day on Cavour's work.

In his preface, Dr. Friedensburg tells us that this is the first half of the biography he has in view: and he brings the story down to Cavour's entry into the cabinet in October, 1850. This surprises us, for we cannot believe that the author, if he holds to the scale he has adopted, can possibly squeeze his account of the eleven years of Cavour's tremendous ministerial labors into a similar volume of 400 pages. Zanichelli, indeed, divided his summary very unequally; but his justification was that he aimed at showing exhaustively Cavour's political philosophy rather than at chronicling his concrete acts from day to day. We mention this at the outset, because it seems to us to reveal a defective sense of proportion—that quality which is indispensable to all true and lasting construction. Unless Dr. Friedensburg foreshortens or condenses, he will require three more volumes instead of one.

The reason his first volume is disproportionately long is obvious: he treats every topic as fully as every other, thereby paying his tribute to the German ideal of thoroughness. Thus in his chapter on Cavour's writings, he sometimes gives too elaborate details of their contents: for what is really essential in a work of this kind is to report Cavour's general views, or his original criticism—as in well-known passages in the essays on Pitt and on Ireland. So too, in the earlier chapters on

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Cavour's formative period, instead of quoting bodily large sections from Chiala and from Berti, an historian more skilful in portraiture would have chosen a few brief but intensely characteristic elements. The same method overweights the narrative of parliamentary proceedings, where secondary and even tertiary matters are reported with a scrupulous exactness, that makes us wonder how Dr. Friedensburg can help being swamped when he comes to Cavour's fifty-two speeches on the commercial treaties. On the other hand, he dismisses Mazzini and the Young Italy propaganda so curtly that a reader who had not informed himself elsewhere would not understand why Mazzini was the voice of conscience to Italian patriots and the terror of European despots between 1831 and 1847.

As Dr. Friedensburg supplies no foot-notes or references, we cannot say what sources he has consulted; but so far as we have observed he has had access to nothing new. Indeed, we feel at times that he has not seen the printed Cavourian material of the last ten years, or familiarized himself with the large body of inedited recollections and opinions which acquaintance with the survivors of the great era might furnish. It is late in the day, for example, to state that the name of Cavour's *Inconnue* (Countess Anna Giustiniani) is unknown. Faldella gave a brief account of her in his *Fratelli Bandiera* at least fifteen years ago, and last year the newspapers of Genoa and Turin had biographical articles about her. So, too, in a substantial historical work, we expect to find the names stated of the persons to whom Cavour wrote the letters quoted. Instead of "a certain French lady", Dr. Friedensburg should say "Mme. de Circourt" (who was in fact a Russian). These points might seem trivial, were it not that they militate against the exactness which is the most important feature in the book.

We do not intend to minimize the value of this feature. We have devoted more space to the limitations, because after all the problem for Cavour's biographer is now architectonic and interpretative. A great mass of material exists; how to select and construct is the biographer's task. Dr. Friedensburg's ability to pack a mass of information into his pages is as apparent as his thoroughness. He evidently sympathizes with Cavour's Liberalism. His volume produces on us the impression not unlike that made by a Baedeker: only it lacks the stars and double stars by which even Baedeker recognizes that there are degrees of significance in the realm of facts. The frontispiece purports to be Cavour when about thirty years old; but it is so unlike the authentic portraits that either the artist who drew this never saw the original, or the publisher has by mistake substituted the profile of a German *Privatdozent* of 1840.

Francesco Crispi: I Mille. Da Documenti dell' Archivio Crispi. (Milan: Fratelli Treves. 1911. Pp. 409.)

THIS book, of which T. Palamenghi-Crispi is the author, contains some of the most important recent additions to the documents of the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Risorgimento. It is also significant as laying the foundations of a Crispi legend. The kinsman of the conspirator-politician leaves nothing undone here to prove that to Crispi, rather than to Cavour or to Garibaldi, was due the successful outcome of the events of 1860 which resulted in Italian unity. During his lifetime, the ruthless Sicilian was the target of unceasing accusations; yet he pushed himself on and up till he became prime minister. Then his enemies assailed him and drove him from office; but he rose again, and at his death, some ten years ago, although past fourscore, he was the most considerable political figure in Italy.

Beati possidentes was a maxim which Bismarck, with whom Crispi had many affinities, was fond of quoting, and Crispi might have echoed it. For he outlived all the other leaders of the Golden Era of the Risorgimento, and, as prime minister, he had access to the records. That he allowed papers that might incriminate himself to remain in the archives at Turin, for future historians to unearth, is not believed in Italy. Conversely, that he had made provision for his rehabilitation at the bar of history, cannot be doubted. Even before his death he furnished the unreliable Stillman with the material for an indiscriminate eulogy; and now Signor Palamenghi-Crispi stops little short of idolatry. Nevertheless, his book contains much original matter and must be treated seriously.

The first chapters describe piecemeal Crispi's exile from 1849 to 1859. No mention is made, however, of the charge revived recently by Orsini's accomplice, Di Rudio, that Crispi threw one of the three bombs at Napoleon III. in 1858. The real interest of the narrative begins with the autumn of 1859, when, as Mazzini's agent, he went incognito to Sicily to prepare a revolt. During the following spring he worked with great energy to make ready the expedition which Garibaldi was to captain. In Bertani, Bixio, and Medici he had untiring colleagues. But the plan hung fire. Garibaldi, too canny to be involved in a Mazzinian fiasco, held back. Crispi has always claimed, and the claim is repeated here, that he alone persuaded Garibaldi to go. Guerzoni, Garibaldi's best biographer, denies that any one person had the right to monopolize the credit; yet all agree that it was the production by Crispi of a telegram purporting to bring favorable news from Sicily that clinched Garibaldi's decision. It is commonly believed that Crispi forged the telegram, but his present biographer throws no light on this mystery.

Now follows the body of the work, in which, in the course of 300 pages, we have, from the Crispian point of view, an account of the Garibaldian liberation of Sicily and Naples. Crispi's diary of the voyage to Marsala, if he did not touch it up in after days, is a document of the first importance; and scarcely less noteworthy to the historian are various inedited letters and documents which emanated from him and his friends during that stormy summer. They confirm what we already knew, that is, that in political matters Garibaldi was a child; that he left the government in Crispi's hands; that Crispi displayed unusual

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

capacity and a tigrine ruthlessness; and that to him, more than to any other individual, was due the postponement of the annexation of Sicily to Piedmont and the kindling of feuds which crackle still in his biographer's pages. Many historians now concede that Garibaldi's refusal to annex Sicily in June or July was wise, but only blind partizans attempt to defend the further delay.

Signor Palamenghi's method of proving Crispi's transcendent genius is to vilify Cavour, and not merely to vilify, but to make him out incompetent, petty, and often idiotic. Such a method of course defeats its object and exposes the animus of its author. You may hold what views you will of their policy and character, but if you attempt to dismiss the Bismarcks and Cavours of history as puerile, you cannot command respect. The fatal flaw in this biography is that it is written from the 1860 point of view. The charges and calumnies which then flew to and fro from among party spokesmen are not investigated. The immense volume of testimony which has been printed since is not treated critically. The best motive that Signor Palamenghi can allege for Cavour's policy of controlling the revolutionary movement is that he was jealous of Garibaldi's popularity and fearful of being turned out of office! So this book, except for its documents, has slight value as history, although it perpetuates for a later generation the venom which was too large an ingredient of the Garibaldian exploit. Readers of the Marios, of Mazzini, of Pianciani, of Bertani, and of Crispi himself in his earlier phase do not need to be told afresh what that venom was. After granting the amplest honors to Crispi and Bertani for the good they accomplished in 1860, we must still hold them responsible for the evil, which sprang directly from their implacable and fanatic natures. If an American writer should rake up Horace Greeley's diatribes against Lincoln in 1862, and should set them forth without the correction which subsequent events and evidence furnish, he would produce just such a portrait of Lincoln as Signor Palamenghi draws of Cavour. As for Francesco Crispi, the halo here assigned him renders him almost unrecognizable. Like Stanton, he did much important work; but he did it fiercely, remorselessly, and often in a spirit in which personal love of power rather than patriotism seemed to guide him. Halos do not fit such men.

WILLIAM ROSCOE THAYER.

Bayern im Jahre 1866 und die Berufung des Fürsten Hohenlohe. Eine Studie von KARL ALEXANDER VON MÜLLER. (Munich and Berlin: R. Oldenbourg. 1909. Pp. xvi, 292.)

La Restauration de l'Empire Allemand: le Rôle de la Bavière. Par A. DE RUVILLE, Professeur à l'Université de Halle. Traduit de l'Allemand par M. PIERRE ALBIN. Avec une introduction sur les Papiers de Cerçay et le Secret des Correspondances Diplomatiques par M. JOSEPH REINACH. (Paris: Félix Alcan. 1911. Pp. xxxii, 327.)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

VON MÜLLER'S book, which was submitted as a doctor dissertation in the University of Munich in 1908, is a preliminary study for a future history of the ministry of Prince Hohenlohe in Bavaria (1867–1870). His method of treating the events of 1866 is conditioned by this ulterior purpose. His first chapter sketches the position of the German middle states in the last years of the old Confederation and the attitude of the South German parties towards the problem of German unity; outlines the "triad" policy of Minister von der Pfordten, *viz.* maintenance of the Confederation and a Bavarian hegemony in a middle-state group; indicates the *timeo Danaos* attitude of public opinion towards Bismarck's unexpected proposal of a new federation with a representative parliament; and describes more fully the reversal of sentiment which followed the victories of the Prussian armies, the reconciliation between Bismarck and the Prussian Liberals, and the steps taken to organize the North German Confederation. The second chapter is devoted to the personality and political views of Prince Hohenlohe. In spite of his Prussian sympathies, Hohenlohe had failed to understand Bismarck's plans, and as late as the end of March, 1866, he believed that Bavaria would be forced to go, for better or for worse, with Austria. To him, however, the Prussian demand for federal reform and a German parliament seemed serious. He sought and obtained on April 11 an audience with King Louis, and urged Bavarian support of the Prussian proposal. His arguments did not persuade the king; but the favorable personal impression that he produced, strengthened by the fact that events proved his foresight, explains his subsequent appointment to the Bavarian premiership. The third and fourth chapters narrate the occurrences of the autumn and early winter months; the conclusion of treaties of peace and also of secret treaties of alliance between Prussia and the South German states; the realignment of parties; the retirement of Pfordten; the formation of the Hohenlohe ministry and the formulation of its programme. The connection between the calling of Hohenlohe and the recalling of Richard Wagner is recognized but reduced to its true proportions.

The book is not of the grade of the usual doctor dissertation. Not only is the material collected and presented according to the best German traditions, with infinite pains and conscientious exactness, but its presentation is marked by a sureness of grasp, a ripeness of judgment, and a clarity and occasional felicity of expression not always found in the writings of older historians.

Some of the more solid of these qualities are lacking in Professor von Ruville's work. This author has avowedly adopted a method of writing history which he calls "the method of the broken coin". The archaeologist who finds an incomplete coin digs further for the complementary fragment, and if the edges match his problem is solved. The historian, confronted with a fact which he cannot explain, searches for an hypothesis. If he can find one which meets his intellectual needs and which is not contradicted by any known facts, his reconstruction is equally satis-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

factory—to him. What we have here is, of course, a very old thing with a new name. The method of hypothetical reconstruction has always been used, more or less consciously and with varying degrees of caution, by the best historians. It is also used by writers of historical romances; and the more freely it is employed by a historian, the more nearly his work approaches fiction. The new name which von Ruville has invented he draws from, and perhaps thinks to justify by, a simile. Similes, of course, are not arguments, and his is not even a good simile. Neither the facts which are presented to the historian nor the hypotheses which he constructs have the sharp outlines which make conclusive demonstration of correspondence possible.

Von Ruville's first three chapters cover, more cursorily, the same ground which von Müller traverses. Here the only conspicuous use of the "broken coin" method is to be found in the author's assumption that the secret treaty of alliance between Prussia and Bavaria received a special moral sanction from an exchange of personal pledges between the two kings. For the existence of such a "royal pledge" on the part of Louis the author thinks he has direct evidence in the Bavarian and Prussian throne-speeches of January and February, 1870, ignoring the fact that in monarchic states all treaties are, in theory, personal engagements of the sovereigns and are constantly so described. He further insists that King Louis's loyal discharge of his treaty obligations is explicable only on the theory of a personal pledge of faith. In his fourth chapter he discusses, following Rothan (*L'Allemagne et l'Italie, 1870–71*), efforts alleged to have been made early in 1870 to secure for the King of Prussia the imperial title. Rothan's story, von Ruville says, "should not without further examination be regarded as the expression of the truth"; but after such examination he apparently decides that in its main lines at least it is true. How he reaches this result is not made clear to the old-fashioned student of history.

The second part of the volume (chapters 5–8) is devoted to the relations between Prussia and Bavaria in the summer and early autumn of 1870; the third part (chapters 9–12) to the negotiations, in the latter part of the year, of the treaties which made the South German states members of a new German empire. Here the hypothetical reconstruction of facts centres on the means employed by Bismarck to break the resistance of the South German premiers, especially that of Count Bray (Hohenlohe's successor), to the establishment of a strong imperial government. It is, of course, well known that none of the South German governments except that of Baden really desired such a solution of the German question, and it is ordinarily assumed that it was the logic of the situation and the sentiment of the German people that forced them to sacrifice their independence. Von Ruville has another explanation. In the chateau of Cerçay, belonging to Rouher, the Germans found, in October, 1870, a mass of documents concerning the foreign relations of the Second Empire. A smaller collection of similar documents was seized at St. Cloud. All these were sent to the Prussian Foreign Office

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

at Versailles. In this mass of papers there was doubtless much South German correspondence; and probably there were letters from the very statesmen with whom Bismarck was negotiating, written at periods when the South German states, solicitous for their independence, were seeking the support of Napoleon III. In 1870, when North and South Germans were fighting shoulder to shoulder against the hereditary enemy, such letters would sound anti-national, morally treasonable. What could be more natural than that Bismarck should have utilized his control of this correspondence to extort from the South German statesmen submission to the Prussian demands? Von Ruville applies no derogatory epithet to such a procedure; but M. Reinach entitles his introduction to the translation: "An Historical Blackmail" ("Un 'Chantage' Historique"). In this instance it is evident that the author's hypothesis is more solidly based and more plausible than in the case of Louis's "royal word". A French historian of the first rank, whose methods are those usually practised by historians and who therefore probably had information not accessible to our author, had previously stated as a fact what the latter suggests as a supposition. Von Ruville himself quotes from Sorel (*Histoire Diplomatique de la Guerre Franco-Allemande*) the assertion that Bismarck made use of the Cerçay papers to threaten the courts of South Germany with revelations which would compromise them in public opinion, and that the very lively fears thus aroused singularly expedited the negotiations. Von Ruville, however, goes further than Sorel. He reconstructs the manner in which Bismarck must have used the documents, varying with the character and temperament of the persons to be influenced. Practically, we are present at the different interviews. All this is in the best manner of the historical romance.

The original German edition of this book appeared while von Müller's volume was printing; and the latter added an appendix of twenty pages: "Zur Kritik von A. v. Ruville." His detailed criticisms are limited to von Ruville's presentation of the events of 1866. He notes and discusses several points on which he and von Ruville differ, devoting most space to the hypothesis of King Louis's "royal word". In dealing with this and other products of the "broken coin" method, his procedure is simple and effective: he shows that the edges do not match by citing facts which are irreconcilable with von Ruville's theories. He shows, moreover, in one instance an almost incredible carelessness on the part of von Ruville in reading his sources. A statement of the latter regarding negotiations between the German governments in July, 1866, at Vienna and Nikolsburg is authenticated by a reference to "Pfordten's narration in the Chamber, October 12, 1866. State Archives, XI." Von Müller shows: (1) that the Bavarian Chamber was not in session in 1866 after August 31; (2) that there is no such narration by Pfordten in the volume cited; (3) that there is, in the volume cited, an extract from the *Bayerische Zeitung* of October 12, reporting remarks made in the Baden Chamber by the Baden minister of foreign affairs; (4) that

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

these remarks refer to negotiations in July, 1866, between the ministers of the South German states at Munich.

The French version of von Ruville's book reproduces without change all the statements which von Müller criticizes. It reproduces even the reference to Pfordten's lost speech, delivered in empty space.

MUNROE SMITH.

The Life of George Joachim Goschen, First Viscount Goschen, 1831–1907. In two volumes. By the Hon. ARTHUR D. ELLIOT. (London and New York: Longmans, Green, and Company. 1911. Pp. xiii, 321; ix, 300.)

EVERY good contribution to English political biography has usually what may be described as one central value—a value over and above all else in the book that makes it of peculiar service to students of history. Some biographies throw much new light on political movements. Those of Peel and Cobden are typical of this class. Others illuminate a departure in colonial policy or the origin and conduct of a war; and others again add to what was known of ministerial crises of first importance. Goschen was sympathetically and helpfully associated with no great forward movement in English politics in the last half of the nineteenth century. Nominally he was a Whig, although not born into the Whig cult. On some questions—such as the ballot and the abolition of church rates and denominational tests at the universities—he was radical, and quite out of sympathy with the Tories. But on such questions as the extension of the franchise he was much more Tory than Whig. All his life he distrusted and dreaded democracy. He repudiated the contention of radical reformers that the poverty and social squalor of the mass of the people was in any way due to class legislation in the eighteenth century, or that the governing class was responsible for these conditions; and on questions of constitutional change he was almost invariably ready and eager to group himself with the standpatters, whether they were Whig or Tory.

He was of a family, German in origin and pushing in social ambitions, but not sufficiently long established in England to have any political traditions. Temperamentally, however, Goschen was a Tory on most political issues; and the wonder is how he was ever accepted as a Liberal candidate at Ripon and Edinburgh—constituencies that he represented between his service as one of the four members for the City of London (a service ending in 1868) and his election as Conservative for the Hanover Square division of Westminster in 1888. He was a stirring figure in the Home Rule crisis of 1886; he was the pivotal figure in the ministerial crisis at the end of 1887 brought about by Randolph Churchill's unexpected resignation of the chancellorship of the exchequer in the Salisbury administration. There is much new light on both these crises in the early years of the Home Rule struggle at Westminster—particularly in many hitherto unpublished letters from Hartington, and in

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Goschen's diaries and letters to his wife. But the central value of the biography—the value that distinguishes it from all political biography since Parker's *Life of Peel* was published in 1899—is the wealth of new material it contains concerning political parties between Russell's succeeding Palmerston as leader of the Whigs in 1866, with Russell's efforts at that time to give a Liberal tinge to his cabinet, and the split in the Unionist party in 1903, due to Mr. Chamberlain's retirement from the Balfour administration to push his propaganda for a protective tariff.

For the history of changes, developments, and crises in the two great parties, Mr. Elliot's biography of Goschen is the most valuable contribution to political history since Croker's *Diaries* were published in 1885. Cobden once told Goschen—in a letter, February 6, 1864—that he was a fireship likely to be dangerous to both political parties. In his Parliamentary career Goschen was of the Whig, Liberal-Unionist, and Conservative parties, and there were times when he described himself as a Liberal. It is because Mr. Elliot has with painstaking care and with well-presented detail followed Goschen through these recurring crises that his biography is so valuable a contribution to the history of political parties. Detail is especially characteristic of Mr. Elliot in narrating the division in the Whig Liberal party over the Gladstone Home Rule bill of 1885, with the result that the biography of Goschen is the fullest history yet between covers of the greatest crisis in the annals of the Liberal party.

A. Thiers, Chef du Pouvoir Exécutif et Président de la République Française, 17 Février 1871–24 Mai 1873. Par PIERRE F. SIMON. (Paris: Édouard Cornély et Cie. 1911. Pp. xvi, 358.)

M. SIMON'S volume was awarded the Rossi prize for 1909 by the law faculty of the University of Paris. It is a study of the Thiers régime rather than of Thiers, the subject of the competition having been the executive in France from the assembling of the National Assembly in February, 1871, to the crisis of May 24, 1873.

The Thiers régime, M. Simon declares, was a unique system of government. The Republic existed, but only as a provisional arrangement. The National Assembly possessed sovereign power and a majority of its members was determined that the Republic should not become permanently established. Circumstances dictated the choice of Thiers as head of the government. Never in real accord with the majority of the assembly, he ruled owing to its acquiescence rather than with its support. In the combined capacities of responsible *chef du gouvernement*, president of the council of ministers, and deputy, he guided and controlled the assembly. Occasionally he yielded a point of minor importance, but upon all of the great questions, the tariff, the army, local government, the majority in the assembly gave way to him until he attempted to force the definitive establishment of the Republic. This reversal of the usual parliamentary process M. Simon attributes to the fact that

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

until final arrangements had been made for getting rid of the Germans Thiers was "the necessary man" and could dictate his own terms to the assembly.

In the organization and handling of the materials the monograph exhibits the admirable qualities almost invariably found in historical studies coming from French university circles. Within the lines the author has laid out for himself, the work has been well done. In matters of detail there is little occasion for anything but praise. Only in the general scope of the study and in the restrictions as to the materials to be employed is there any considerable ground for criticism.

In scope the study is confined too narrowly to the relations between Thiers and the assembly. These are fully treated. But the other activities of Thiers as chief executive are either passed over entirely or dealt with only in an incidental and imperfect way. In fact, the monograph is more a study of the history of the National Assembly in its relations with Thiers than a study of Thiers as chief executive. Even in that field the scope of the investigation might have been broadened advantageously. Outside conditions and events which exerted an influence upon the assembly are given too little attention. The proceedings of the assembly upon all important matters involving its relations with Thiers are set forth in considerable detail and with commendable accuracy, but no particular effort is made to explain what led the assembly to act as it did upon each measure beyond the furnishing of summaries of the debates, including liberal quotations from the principal speeches. There is no serious attempt to analyze the votes or to discover the reasons for the action of the various groups into which the assembly was divided.

The bibliography contains numerous titles but the plan of the study has called for only a limited use of the greater part of them. Collections of legislative and parliamentary documents have furnished most of the materials used to any considerable extent. Only a very restricted use has been made of newspapers and memoirs. The omission of the latter was perhaps justifiable, although it would seem probable that a cautious and critical use of them might have yielded some important results. The use of newspapers would have required an even greater caution, but the difficulty of their use did not warrant their neglect. For the period with which M. Simon's deals they are valuable material.

FRANK MALOY ANDERSON.

The Cambridge Modern History. Planned by the late Lord ACTON, LL.D., Regius Professor of Modern History. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Volume XII. *The Latest Age.* (London and New York: The Macmillan Company. 1910. Pp. xxxiv, 1033.)

THE twelfth volume of the *Cambridge Modern History* covers the period of the last forty years, although some of the chapters go further back than 1870. Mr. Leathes furnishes an excellent *coup d'œil*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the period as a whole and then contributes a chapter on English history which is weak in description and explanation, at times almost annalistic. The treatment of French history by Bourgeois and of German by Oncken is admirable in knowledge, in exposition, and in discriminating characterization of leading figures, although the latter makes the intrepid statement that the annexation of Alsace and Lorraine was "the inevitable outcome for both nations of several centuries of their history" (p. 136). The opinion that the step was inevitable may be current in Germany but it is not widely held outside. Professor Eisenmann should have been allowed more than thirty-nine pages for the history of Austria-Hungary since 1860 in a volume that allots twenty-eight to Egypt and forty-three to India, particularly as his subject is the most intricate treated in the book. His analysis of the character and significance of Francis Joseph, his statement of the relation of Dualism to Sadowa, his appreciation of Andrássy and his description of the present situation are valuable features of the chapter. Mr. Okey's chapter on Italy discusses the career of Crispi, shows the advance of Italian democracy in the first decade of the twentieth century, and closes with a thoughtful survey of the present economic and social conditions. Professor Pares writes two chapters on Russian history since 1861, chapters overloaded with detail, but throwing many illuminating side-lights upon recent events. Particularly interesting is the indication of the important rôle played by Professor Milyoukov. The chapter on the Ottoman Empire by Mr. W. Miller is a mediocre piece of work, containing however a clear treatment of the treaties of San Stefano and Berlin. The description of the Revolution of 1908 is very brief and insignificant. There are well-informed chapters on Egypt and the Sudan (by F. M. Sandwith); on India (by P. E. Roberts); and on the European Colonies, chiefly British (by E. A. Benians). Sir Robert K. Douglas writes on the Far East. One of the best chapters in the book is that by Professor Longford on the Regeneration of Japan, an excellent account of Japan's progressive steps toward constitutionalism and of the reaction upon the internal structure of her society of the adoption of Western ideas and institutions.

A notable chapter is that by Major F. B. Maurice on the Russo-Japanese War, clear in its narration of events, instructive in its statistical data, interesting in its revelation that after Tsushima and Mukden the two powers were virtually stalemated and that peace was imperative for both combatants.

There are chapters on Spain and Portugal (by Hannay); on Scandinavia (by Stavenow), in which the recent dissolution of the Union of Norway and Sweden is described from the Swedish point of view; on the Low Countries (by Edmundson); on the Latin American Republics (by Kirkpatrick), in which this sentence on Díaz will certainly need revision: "his authority rests not upon terror, but upon a general loyalty which seems to approach enthusiasm" (p. 677). Triana's study

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the International Position of the Latin American Races is a succinct and illuminating presentation of an important subject. The volume closes with five chapters on special subjects. Sir Frederick Pollock's study of the Modern Law of Nations and the Prevention of War is a valuable summary of the growth of international law from early times and a sober and optimistic examination of its recent development in the direction of arbitration and the settlement of international difficulties by judicial process. Mr. Sidney Webb contributes an able chapter on Social Movements, interesting, among other reasons, for the light it throws upon the evolution of the democracy of Great Britain through economic struggles and processes. Mr. Whetham's chapter on the Scientific Age shows the remarkable progress of modern science along various lines. Mr. Rogers's treatment of Modern Explorations is dry and too much like a catalogue. Mr. Gooch closes the volume with a chapter on the Growth of Historical Science since the eighteenth century, a comprehensive review, well developed and characterized by discriminating criticism.

A few errors of detail have been noticed. The amendment to the French constitution to the effect that the republican form of government cannot be made the subject of a proposed revision bears the date of August 14, 1884, not August 18, 1883 (p. 111); by the treaty of March 15, 1873, France was not to be evacuated "by July 5, 1873", but within a period of four weeks from that date (p. 140); the First Hague Conference closed July 29 not June 29 as stated on page 247; Bismarck was not minister of commerce from 1870 to 1890 but from 1880 to 1890 (p. 138); it is not strictly accurate to say that Russia gained Port Arthur in 1898 "on the same terms" that Germany did Kiaochow, as her lease was to run only twenty-five years whereas Germany's was to run for ninety-nine (p. 513). The *Petropávlovsk* was sunk April 13 (p. 581), not in July or August as indicated on page 346. There is a typographical error in the dates of the van Lynden ministry in Holland (p. 244). The date of the defeat of the Home Rule Bill in the Commons is given differently on pages 44 and 84.

The narrative of the *Cambridge Modern History* is brought to a close with the twelfth volume. Two more volumes are to appear shortly, containing maps, tables, and an index. The editors deserve congratulation for having carried through so comprehensive and difficult a task. They have produced a valuable reference work. It is an indisputable convenience to be able to turn to these volumes with the practical certainty of finding an informed and sober treatment of nearly every phase of the history of the last four hundred years, at least of the political history, for the treatment of literary history is fragmentary. This history presents a vast amount of information in the light of modern investigation. It is a work of solid merits, objective, critical, and on the whole impartial, an impartiality which is, however, sometimes secured by gliding gently over contentious subjects, such as the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

causes of the Franco-Prussian War and the Boer War. The result is an entirely inadequate discussion in such cases. For instance the diplomacy of Chamberlain is hardly more than alluded to.

But the defects of this history are also conspicuous. Most of the chapters are clogged with facts and the general trend of events does not stand out clearly. We cannot see the wood for the trees. This is of course not uniformly true but it is, in the opinion of the present reviewer, prevailingly true. A multitude of things are mentioned which are not explained, whose significance therefore is not apparent. What shall it profit a man to know the titles of many legislative acts, for instance, or the names of many men, and nothing about any one of them? Again, the narrative in general lacks movement, life, color.

There is a more serious defect. The modern historical student demands the authority for this and that statement, and in his eyes, consequently, the very plan of this history is defective. That plan excludes all foot-notes and all critical examination of sources. We are given practically no aid in controlling our authors. Instead we are forced to rely upon the assertion of the specialist who writes the monograph. Each chapter, we learn from the prospectus, is written by the man who knows it best—a robust claim, whose justification is not always apparent. But even if it were, the passive attitude of accepting statements *ex cathedra* is no longer fashionable among historical students.

It is true that there are bibliographies connected with every chapter and we are told that they have been carefully selected. Now as a matter of fact these bibliographies are useful, but they are useful in the same sense that a library catalogue is useful. They are long lists without description or criticism. One can hardly run through two or three hundred books in the desire to control a statement that may appear doubtful. The bibliographies include titles of the most unequal character and yet no indication is given as to the value of each or its relation to the text. Moreover it is difficult to ascertain the principle of selection followed. A brief examination discloses omissions which are hard to understand in the light of what has been included. A few may be mentioned, in connection with volume twelve. Under chapter I., Oncken's *Zeitalter des Kaisers Wilhelm* and Andrews's *Historical Development of Modern Europe* and his *Contemporary Europe, Asia and Africa* are not given although Gooch's *Annals of Politics and Culture* and Irving's *Annals of Our Time* are. Under chapter V., there is no mention of Labusquière's *Troisième République* or Briand's *La Séparation des Églises et de l'État* or Anderson's *Constitutions and Documents* although Mrs. Latimer's *France in the Nineteenth Century* finds a place between Hanotaux and Lavisse et Rambaud. Billot's *La France et l'Italie* and Tardieu's *France et les Alliances* are not mentioned under France, though the former is mentioned under Italy and the latter under Germany. Weill's *Histoire du Parti Répub-*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

licain is given under the Third Republic, which it does not treat at all. In the German list (chapter VI.) Headlam's *Bismarck*, Oncken's *Zeitalter des Kaisers Wilhelm*, Howard's *German Empire*, Combes de Lestrade's *Les Monarchies Allemandes*, and Dawson's *Evolution of Modern Germany* are among the missing. In connection with the same chapter there is practically no bibliography of Social Democracy, which the text treats slightly, though there is one of Philosophy, Art and Literature, which it does not treat. Under Spain (chapter X.) Diercks's *Geschichte Spaniens* is not mentioned though an earlier book by that author is. Nor do we find, in a field in which there is none too much literature, Strobel's *Spanish Revolution* nor Gmelin's *Studien zur Spanischen Verfassungsgeschichte des Neunzehnten Jahrhunderts* nor Hannay's *Castelar* nor Wilson's *Downfall of Spain*. Nor in the Russian section (chapters XII. and XIII.) is Skrine's *Expansion of Russia*, or Kovalevsky's *Russian Political Institutions* or Kennan's *Siberia and the Exile System* to be found. Holls's *First Peace Conference* and Hershey's *International Law of the Japanese War* are not alluded to, and such works as Bryce's *Studies in History and Jurisprudence*, Lowell's *Governments and Parties in Continental Europe*, Reinsch's *World Politics*, and Dodd's *Modern Constitutions*, useful for many chapters, are nowhere to be found. Nor is Douglas's *Europe and the Far East* listed, although Sir Robert, who wrote the chapter on this subject, ought to know that his book is probably the most useful general introduction to the subject.

The list of omissions might be easily extended but this is enough to show that the student cannot rely upon the "careful selection" of the compilers, that he can by no means be sure that all the best titles are included.

The appeal of this history must be to specialists or to professional students, as general readers would probably suffer from vertigo or at least from aggravated ennui in attempting to traverse these pages bristling with facts and names. Yet the critical apparatus which scholars legitimately demand is lacking. This is peculiarly regrettable in a history of modern times in which there are many controversial subjects. Where the contributors pronounce on these issues they necessarily do so in a brief manner. Scholars have a right to some guidance to the controversial literature, some clue with which to thread the maze. This critical appraisal of authorities, which it is assumed the contributors could have given us, as it seems to be implied that they have used in the construction of their narratives the material indicated in the bibliographies, would have been of great value. As the treatment of considerable blocks of history in the text is greatly compressed, frequently forty years to forty pages, it is to be deplored that the scientific equipment which might have supplemented this treatment is so inadequate. Either there should have been foot-notes to the more important matters or there should have been critical or descriptive bibliographies.

CHARLES DOWNER HAZEN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The First Decade of the Australian Commonwealth: a Chronicle of Contemporary Politics, 1901–1910. By HENRY GYLES TURNER. (Melbourne: Mason, Firth, and McCutcheon. 1911. Pp. xv, 320.)

MUCH of this history is concerned with the rise and fall of cabinets. This is inevitable under the system of responsible government which prevails in Australia. The book, however, has a special interest for Americans. In the first place, it describes the beginnings of a country whose constitution, except as respects the system of responsible government, is copied from our own. In the second place, it deals with political movements which are in actual and powerful operation in Australia, and which are beginning to attain force in this country and Europe. These movements look to the nationalizing of all the means and processes of production and distribution, including the regulation of the supply of labor and capital and the fixing of wages and prices. American readers will be led to reflect whether or not the system of responsible government offers the same safeguards as our own against centralizing tendencies and movements.

As the book shows, the Australian Labor party, starting in 1901, at the inception of the Commonwealth, as a small centre party, became, in eight years, by the backing of organized Labor, the dominant party. During this period the Labor party evolved a definite programme, which received the name of "the new protection". The main feature of this programme was the control of all industrial operations by the federal Parliament, and, as necessary to this, the nationalization of all monopolies whether of land or of industry.

The Australian Constitution, however, like our own, places the control of all intrastate industrial operations in the states and reserves to them the residue of power. It was, therefore, at first attempted by the Labor party to bring about its programme by the use of the power of federal taxation. In 1906, this party secured the passage of an act by the federal Parliament imposing an excise tax on certain industries, which was to be remitted on proof to a federal commission, by these industries, that they had conformed to a certain standard of wages and to certain other conditions relating to price and absence of monopoly. In 1908, the High Court of Australia, in a suit brought before it involving the constitutionality of the act, held it unconstitutional, and the Labor party thenceforth began a movement to change the Constitution so as to permit the federal Parliament to put in force "the new protection" programme. So successful were they that at the session of 1910, acts were passed by the federal Parliament for changing the Constitution so as to permit the Parliament to regulate all trade and commerce; to create, dissolve, regulate, and control all corporations; to control all wages and settle all labor disputes; and to nationalize all monopolies (p. 253). These acts were, by their terms, to be submitted to referendum of the people of the states on April 26, 1911.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The book was published after this action was taken and before the date of the referendum, when Australia and the rest of the world were waiting with interest to see what disposition of the Constitution would be made by the people. Mr. Turner is evidently a conservative, who believes in the maintenance of the powers of the states, and in the rights of the individual according to the Anglo-Saxon sense. The last words of the book are: "The real solution of the future of Australia has been relegated to the people, whose decision on the 26th April will have an important and probably a lasting influence in making or marring the relations between the Commonwealth and the States." The verdict of the people of Australia, given through the referendum, was against the proposed changes in the Constitution.

This does not, of course, detract from the interest of the book. It should have a wide reading in this country.

A. H. Snow.

BOOKS OF AMERICAN HISTORY

California under Spain and Mexico, 1535–1847: a Contribution toward the History of the Pacific Coast of the United States, based on Original Sources (chiefly Manuscript) in the Spanish and Mexican Archives and other Repositories. By Irving Berdine Richman. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvi, 541.)

Mr. Richman's book is the first history of California under Spain and Mexico to be published in the United States outside of San Francisco. Indeed the only work hitherto available on the history of the state is Professor Royce's volume in the *American Commonwealths* series, which is a study of a single decade designed to illustrate the philosophical ideas of its author. The larger works of Hubert Howe Bancroft and Theodore H. Hittell, published in San Francisco, have notable merits, but they are too extensive for the ordinary reader, and are now out of print. The way was open, therefore, for a survey, within a moderate compass, of the history of California. It has evidently been Mr. Richman's purpose to take advantage of this long-neglected opportunity; and beginning with the Spanish period, it seems to have been his plan to present at once a summary of previous results and an original contribution based upon manuscript materials hitherto inaccessible to students. The work was undertaken in an auspicious moment; for before the author had completed his self-imposed task it became possible for him to harvest the first fruits of the investigations conducted by Dr. Herbert E. Bolton, for the Carnegie Institution, in the archives of Mexico. The author has been equally fortunate in his publisher: the volume is well printed, is amply furnished with maps, and conveys an immediate impression of taste and scholarship.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The typographical arrangement emphasizes the fact that the book consists of two distinct parts—text and notes—which are not very unequal in extent. The text keeps within moderate bounds: Royce took up a fourth more space with his study of the years from 1846 to 1856; Bancroft's treatment of the period to which Mr. Richman confines himself is, roughly speaking, ten times as long. The notes have not been limited in the same degree; they are voluminous and include references to much new documentary material. This, as might be expected (especially as the investigator did not himself visit either Mexico or Spain), is not evenly distributed over the whole period, but refers mainly to the quarter-century following 1768. For the second half of his volume the author seems to have relied on the sources indicated by Bancroft. The notes, it would seem, will be appreciated most fully during the period that must still elapse before the publication of Dr. Bolton's guide to the Mexican archives.

It is with deep regret that it has been found impossible to express an opinion in regard to the results of Mr. Richman's "two years' investigation", without appearing ungracious and censorious. Mr. Richman has an enviable reputation among historical writers in the United States based upon his volumes dealing with Rhode Island; but it must be confessed that in passing to a subject entirely un-English in its literature and institutions, the author's hand has lost its cunning. His *California under Spain and Mexico* is badly written, faulty in construction, full of inaccuracies of detail, and promulgates an entirely erroneous view of the relation of the mission to the government of the province.

In a narrative limited as this is, proportion becomes a matter of the first importance: Mr. Richman disposes of the first 235 years of his subject in less than sixty pages; he gives a total of five pages to the most notable explorers of those earlier years—Cabrillo, Drake, Vizcaino—as against twenty to Kino and Salvatierra, no part of whose work lay in Alta California; he allows as many words to an irrelevant description of a fight between a bull and a bear (pp. 352–354) as to his account of the earliest explorations of the coast (pp. 4–7).

Mr. Richman has much to say of his new materials—and they are indeed important—but it is impossible to discern from his text that the documents cited in his notes have been effectively utilized. How they have been used is illustrated in the case of the Fages diary of 1770. This the author considered of so much importance that he has printed it in translation (made by Miss Emma Helen Blair) as an appendix, and yet, from what he says on page 103, it can only be inferred that he himself has never read it.

Finally, viewing the matter from the standpoint of initiative and primary purpose, it may be said briefly that Alta California was not "founded by priests for the glory of God" (p. 184). The establishments at San Diego and Monterrey were founded, in 1769 and 1770, for definite and well-known political reasons, under the direction of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the officers of the crown. It is, moreover, quite erroneous and improper to say and reiterate that the old and perennial quarrel of captains and friars over mission guards raised in California the question, "Was State Sacerdotal to control State Secular, or to be by it controlled".

FREDERICK J. TEGGART.

The Public Life of Joseph Dudley: a Study of the Colonial Policy of the Stuarts in New England, 1660–1715. By EVERETT KIMBALL, Ph.D., Associate Professor of History in Smith College. [Harvard Historical Studies, vol. XV.] (New York and London: Longmans, Green, and Company. 1911. Pp. viii, 239.)

THE public life of Dudley coincided practically with the period of his manhood. Born in 1647 and graduated at Harvard College in 1665, he was in 1673 elected as representative to the General Court. In 1676 he was elected an assistant and from 1677 to 1681 he held the office of commissioner for the United Colonies. He was also sent to London as agent of the colony.

Up to this time Dudley's public life had been colored only by local politics. The independent commonwealth, founded upon a mercantile charter, having an elective governor, an elective assembly, and an elective judiciary, had survived all the attacks which had been made upon it. Opposition to the crown in Massachusetts during the days of the colony had been practically an opposition of the colony itself. Loyalists were only to be found in the minority party, which is termed by the author the "moderate" party.

The succession of appointive offices held by Dudley after the annulment of the charter, identifies him with the court party and had the natural effect of making him unpopular with his fellow citizens, the majority of whom at this period of the life of the province still clung to the tradition of the elective government in which their fathers had participated. His constant official life, now on the one side of the Atlantic, now on the other, was in itself a testimony to Dudley's influence at court and to his capacity to make use of the power which he controlled. He held successively the offices of president of the council of New England, chief justice of the superior court under Andros, member of the council of New York, deputy governor of the Isle of Wight, member of Parliament, and governor of Massachusetts.

During the days of the colony Randolph tells us that the loyalists were tongue-tied. They did not dare openly to assert themselves. Under the provincial government, with all the appointive offices under control of a royal governor, the band of office-holders were in themselves a power, and the dispensation of patronage, together with the accumulation of wealth in the hands of favored families, created a party which had to be considered in local affairs, but which had not reached the height of its power in the days of Dudley.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

By some curious chance, in the performance of one of his official acts Dudley inadvertently and unconsciously did more to build up the power of his adversaries than was accomplished by anyone among themselves. While the far-reaching results of this insignificant act were mainly posthumous and thus do not come within the lines of the exhaustive study laid out for himself by the industrious and painstaking author of this work, still the unwitting contribution to the growth and power of his opponents, by so consistent a loyalist as Dudley, will perhaps excuse a reference to it, even though it should carry us beyond the life of Dudley for the development of its effects.

The event occurred in 1715. The house of representatives was according to our author at this time controlled by "the country party which reflected the old idea". The various points upon which collision took place between Dudley and the house of representatives are set forth in this work with sufficient detail for their comprehension. The noise of these battles did not, however, extend much beyond the walls of the old state house, and their influence must have been largely confined to those who participated in them and to those who could hear about them at the dinner tables and bar-rooms of Boston. There were no newspapers at that time whose columns were open to the dissemination of such news. Wearied with his repeated failures to secure certain legislation, Dudley, on June 20, 1715, prorogued the court, saying to the house in substance, that the members were not earning their pay and that it would be better for the province that they should go home. In order to refute this charge, which they considered a slander, the members of the house at once voted to publish their journal. This policy once inaugurated was thereafter continued and the distribution of copies of the house journal among the small towns brought the knowledge of what was going on in the political world in Boston, for the first time, within reach of the groups gathered in winter round the open fires in the country taverns, and for the first time their discussions could deal with the actual, existing politics, which from session to session controlled their representatives. Thus was established a means of communication with a people not otherwise in touch with current politics; thus was created an active interest in such matters throughout the province, thus was suggested how the same people could be reached when at a later date organized correspondence was desired. Thus also is explained the phenomenal interest in politics which came to be developed in Massachusetts.

The period covered by Dudley's career, apart from the dramatic incidents connected with the overthrow of the Andros government, was full of historical interest. A people who for half a century had maintained an independent government were stripped of their privileges and subordinated to the control of a power whose first thought was of its own aggrandizement. Acquiescence in this transition was never thoroughly accomplished and the collisions with Dudley depicted by the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

author show how difficult the situation was. It is with this peculiarly interesting period of political upheaval that our author deals while nominally furnishing details concerning the life and character of a participant. Letters, speeches, official documents, contemporary publications, records in England and in America, furnish the facts which, strung upon a thread of narrative, portray the circumstances of the times, the character of the man, and the extent of his service. The story is told with evident attempt to throw off prejudice and do full justice to a man whose career made him the object of animadversion on the part of many of his contemporaries.

Professor Kimball several times in his narrative draws inferences from the fact that the council was elected by the representatives. The charter required the election of the council by the General Court. The difference was slight and the same inferences would probably be justified by changing "house of representatives" to "General Court" in these references. The assertion on page 89 that Elisha Cooke never sat in the council during Dudley's administration ought to be modified. Dudley relented, and in the fall of 1715 Cooke's name is to be found in the roll of councillors. The statement, page 193, that the charter "directed that in case of the absence or the death of the governor, the administration should devolve upon the lieutenant-governor, or in case of his incapacity, upon the eldest councillor", is not strictly correct; "entire council" should be substituted for "eldest councillor". The affairs of the province were administered several times by the executive council.

Such errors as these are insignificant in a work whose every page indicates patient industry. The author is to be congratulated on having set forth the history of an interesting period, and the friends of Dudley cannot say that he has not done the best he could to make out a case for the governor. The whole subject is opened up to the student by an excellent index.

ANDREW M. F. DAVIS.

France in the American Revolution. By JAMES BRECK PERKINS. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xix, 544.)

A SPECIAL interest is attached to this book from the fact that it is the last in a series of notable studies in French history which constitute the writer's title to a place among American historians.

The present volume, published more than a year after the author's death, has been prepared for the press under the supervision of Mrs. Perkins with the valuable aid of Professor Van Tyne of the University of Michigan—a sufficient assurance that we have before us the result of careful editing.

A further tribute to the labors of Mr. Perkins is paid in the introduction to the book written by the French ambassador at Washington,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

M. Jusserand, who embraces the opportunity not only to commend the tone and substance of this history but to emphasize the sympathetic attitude of France toward the struggle of the American colonies for independence.

The aim of the author evidently was to present a complete and well-rounded delineation of the part played by France in the liberation of the colonies. To set this in full relief Mr. Perkins begins with a description of the financial, military, and moral condition of the colonies before the French intervention, showing, largely from the writings of Washington, how desperate that condition was. Then follow a rapid summary of the contest between France and England for empire in America, an excellent account of the negotiation and significance of the treaty of Paris, and an analysis of the diplomacy of Vergennes.

In estimating the motives that led to active intervention on the part of France Mr. Perkins exemplifies the admirable balance that is perhaps his most characteristic quality as an historian. His view is that France would inevitably have become our ally, no matter who was at the head of her foreign department; but it was in fact the cautiously exercised influence of Vergennes that overcame the sluggish indifference of Louis XVI., who certainly had no admiration for revolutionists.

But, like every prudent statesman, Vergennes was unwilling to embroil his country in a foreign quarrel without the prospect of advantage from it; and in 1775 he wrote: "The spirit of revolt, wherever it appears, is always a dangerous example." It was not therefore until Franklin had exercised his potent influence, the sentiments of the French people had been touched by the struggle for freedom, and the cause itself had made such advance as to render its triumph certain if aid were promptly furnished, that Vergennes counselled an open alliance with the colonies.

Even from the beginning however public opinion in France was favorable to the colonists, and the government itself was unofficially helpful. It is in the record of the development and expression of this real but officially unavowed friendliness that the dramatic interest of this period of history very largely consists. With strict fidelity to the documentary evidence, Mr. Perkins follows the negotiations of Deane and Franklin and the extraordinary activities of Beaumarchais. The official transactions reveal what we should expect them to reveal, a constant display of political prudence. The mental attitude of Vergennes with regard to the colonists is well expressed in his letter of January 12, 1777, to the Spanish minister. "We know", he says, "that republics are less sensible than monarchies to the requirements of honor, and that they regard fidelity to their engagements only as a means to advance their interests, by which alone their action is determined." With the example of the treatment received by Beaumarchais before him, the minister could have proved that his strictures were not mere innuendo.

While, as Mr. Perkins fully demonstrates, the aid furnished by France certainly shortened, and in the circumstances determined, the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

issue of the struggle, there was in the policy of the monarchy no sentiment whatever. Everything was done by deliberate calculation. But, on the other hand, it is not doubtful that the sympathetic attitude of the French nation was an element in that calculation which cannot justly be overlooked.

In the use of authorities Mr. Perkins has displayed intelligence, and has indicated his sources with precision. Strictly original research was not necessary for his purpose. Doniol, Wharton, Loménie, and Durand had rendered accessible the most important contents of the archives, and the period is rich in personal letters, memoirs, and biographies.

Mr. Perkins's enduring title to a place among historians will rest chiefly upon his sincere love of truth, his diligence in seeking it, his sound judgment of men and policies, his lucid style, and his artistic sense of fitness and proportion. His early ambition was to be a man of letters, and in this he was easily successful.

It is due to him as a fellow craftsman that there should be placed on record in this REVIEW some mention of his great merits as a patriotic citizen and as a public officer. His personal purity in politics and his devotion to the public interest were conspicuous. As a representative in Congress through several terms he rose to be chairman of the House Committee on Foreign Affairs, a position which he filled with distinguished ability. It was the expressed intention of the President to appoint him to a high diplomatic post, which he would have adorned. His death was a loss to the nation as well as to historical literature, but he had already won a secure place among scholars in statesmanship.

DAVID J. HILL.

The Origin and Growth of the American Constitution: an Historical Treatise. By HANNIS TAYLOR, Hon. LL.D. of the Universities of Edinburgh and Dublin. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xlii, 676.)

AFTER thirty years of study of the origin and development of the English and American constitutions, Mr. Taylor considers himself amply rewarded in having discovered a "priceless document" that "explains for the first time the real history of the invention of that marvellous system of government . . . given to the world by the Federal Convention" in 1787. The document in question is Pelatiah Webster's *Dissertation on the Political Union and Constitution of the Thirteen United States of North America,* published in 1783. Of this it is only necessary to say that it has always been known to students of the subject, who have not been inclined to Mr. Taylor's view of its importance but who, without disparaging Webster's originality and power of thought, have generally believed that the American Constitution would have taken its present form if the pamphlet in question had never been written, or, indeed, if Webster himself had never lived.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This obsession of the author, that Pelatiah Webster is to be given all the credit for "the great discovery in modern political science" embodied in the Constitution of the United States, dominates this whole portion of the work. It is dragged in at every conceivable opportunity, and sometimes when there is no opportunity at all. All sense of proportion is lost, for everything is subordinated to the development of this one idea. The author admits (pp. vii and 16) with regard to the Webster pamphlet that "so far as this book is concerned, it is a mere episode", but of the 200 pages devoted to the origin of the American Constitution, over one-fifth directly, and many more indirectly are given up to showing its importance.

The author's belief that "despite the long-standing popular misconception to the contrary, no deliberative body ever had its work so cut out and arranged beforehand as the Federal Convention of 1787" (p. 178), has led him among many other misconceptions and errors to accept the spurious Pinckney Plan as genuine and as the basis of the draft of the Committee of Detail. The carelessness and bias which vitiate his treatment of the subject are well illustrated by a single statement that must astonish the managing editor of the REVIEW: "Professor Jameson and ex-Chief Justice Nott have, in a luminous and convincing way, demonstrated the genuineness of the copy of that all-important plan furnished by Pinckney to the Secretary of State in 1818" (p. 9).

Such a mishandling of the subject destroys, of course, much of the value that this part of the work might otherwise possess. Mr. Taylor has previously evinced his ability to write readable and popular books upon rather abstruse subjects, but his insistent harping upon one idea, and a mistaken one at that, is almost certain seriously to interfere with the popularity of his work in the present instance.

The remainder of the work, upon the development of the Constitution, is irregular in character as it is in treatment. An excellent chapter (VIII.) on "The First Twelve Articles of Amendment" is followed by one of forty pages on "African Slavery and Its Consequences", while a single chapter of forty-five pages is allotted to "Sixty-one Years of Constitutional Growth (1804–1865)". Chapter XI., on "The Civil War Amendments", properly devotes a large proportion of its space to the Fourteenth Amendment but without adequately developing the scope that has been given to it by judicial interpretation. A short chapter on "Our Colonial System" is followed by one of the longest and of most immediate interest in the book, upon "Inter-state Commerce, Trusts and Monopolies", which would have been rendered more valuable if it could have included the recent decisions of the Supreme Court. A brief chapter, "The Outcome of Our Growth", concludes the text.

A voluminous appendix of 200 pages in smaller type is marked by the faults and virtues of the main work. Twenty documents are included, beginning with the Articles of the New England Confederation of 1643, and ending with the Constitution of the United States, with references to judicial decisions, to date. The inclusion of most of the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

items is explainable, if not defensible, but why the Declaration of the Stamp Act Congress, the Declaratory Act of Parliament of 1766, the Mecklenburg Declarations, both spurious and authentic, and the Virginia Bill of Rights of 1776 should be selected, to the exclusion of documents really vital to the argument, it is hard to understand.

An excellent index completes the volume.

MAX FARRAND.

The Letters of Richard Henry Lee. Collected and edited by JAMES CURTIS BALLAGH, Ph.D., LL.D., Professor of American History in the Johns Hopkins University. Volume I., 1762–1778. (New York: The Macmillan Company. 1911. Pp. xxvii, 467.)

THIS excellent edition of the letters of Richard Henry Lee is disappointing in no particular. The interest, the value, the freshness, and the significance are all that such a publication would lead one to expect. Lee was always to the forefront in the revolutionary advance. It was he who drafted the "Articles of Association by the Citizens of Westmoreland", binding themselves "at every hazard, and paying no regard to danger or death" to prevent the execution of the Stamp Act. In July of 1768, he was urging the creation of committees of correspondence, and among the first he congratulated Dickinson and Samuel Adams. April 1, 1776, he was urging independence, and within three weeks pleaded for foreign embassies. He was one of the first on hand with ideas for new state governments and in urging a confederation. In fact he was always ready with vague, general plans for correcting the times that were "out of joint", but rarely with specific devices. True patriot he was, ready to work himself blind and sick for the cause; he was not cool and calm and logical enough to be a great statesman. He became excited and worked madly on Congressional committees until he "panted for retirement from the most distressing pressure of business I ever had conception of". As a member of the war committee Lee writes letters that give much light on the military plans of Congress, Washington's relations with that body, and its difficulties in getting military supplies. The part which necessary inoculation against smallpox played in delaying the organization of armies in America is graphically shown in Lee's letters. Radical as he was he saw clearly the incongruity of democracy and military efficiency. He scolded constantly about the folly of the militia system, and urged the formation of regular armies. His plea for a naval force is insistent, and his letters furnish much detail about the British blockade of the coast, especially of Maryland and Virginia. America was like an island, he declared, and could not hope for decisive victory while Britannia "ruled the waves". As early as July 22, 1777, he foresaw Burgoyne's defeat or capture, because at his distance from the sea no naval rescue was possible. "Curse their canvas wings", he cried. After the French alliance and the coming of the French fleet, he was sure of ultimate success.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lee's judgments like those of most men were a mixture of good and bad. He sent out to friends a good deal of misinformation, especially rumors of British misfortunes, which he accepted with optimistic eagerness. The *ignis fatuus* of a Spanish alliance he pursued till the dawn of peace. He had a most provincial confidence in foreign adventurers, urging Virginia ceaselessly to employ one to train the state's artillery. The flight of Congress to Baltimore he resisted to the last, necessary though it was. Finally, he approved of breaking the Saratoga convention. On the other hand he showed the greatest good sense in urging the necessity of taxation to sink the vast paper money issues. Again, he saw as clearly as Franklin how little significance there was in Howe's capture of Philadelphia. As to men his judgment was often bad. One can forgive him his amiable overestimation of his truculent, trouble-brewing brother, Arthur Lee, and even his implacable enmity to Silas Deane, for fraternal communications corrupted him there; but his enthusiasm over Gates, and the fact that he apparently brought that wolf, Charles Lee, into the fold—introducing him as the "able friend of liberty and mankind", that "warm, spirited foe to American oppression"—is less creditable to his judgment. In Lee's personal affairs there is much of interest. There is evidence that he and other Virginians were hard pressed financially in the period before the war, enough, indeed, to account for their discontent. In fact these letters reveal that the Virginian, with all of his scorn of the "Yankee pedlar", was quite as much engrossed with selling his tobacco, as was the trader with the sale of his Yankee notions. Lee's early letters are filled with data about the methods of trade with England, how vessels were loaded, the troubles with captains, the buying of clothes, medicines, and even eyeglasses, from over the sea.

Lee spoke and wrote habitually in rather exaggerated language. The Stamp Act's "intrinsic vileness", the "parricidal heart" of the stamp collector, "the diabolical wickedness of that execrable court", and the "infamous perseverance of the devils of despotism" are the only rhetorical outlets for his feelings. Against the Tories he is very bitter, and also against the backward states Maryland and Pennsylvania, while the idea of reconciliation is a red flag to this revolutionary Taurus. He is as sentimental, or rather sententious, as Joseph Surface, going repeatedly into long moral disquisitions. Some phrases, like "sunshine of liberty" and "dark arts of tyranny", become wearisome. With Latin phrases and the classic myths he shows acquaintance, also with French and French authors—especially Montesquieu. Shakespeare, Pope, Junius, and Butler's *Hudibras* are the English literary fields where he had most gleaned.

Dr. Ballagh's editing leaves nothing to be desired. It is a model of what such work should be. The second volume will of course contain an index, and with that the publication is beyond criticism.

C. H. Van Tyne.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Louisiana under the Rule of Spain, France, and the United States, 1785–1807: Social, Economic, and Political Conditions of the Territory represented in the Louisiana Purchase, as portrayed in hitherto unpublished contemporary accounts by Dr. Paul Alliot and various Spanish, French, English, and American Officials. In two volumes. Translated or transcribed from the original manuscripts, edited, annotated, and with bibliography and index by JAMES ALEXANDER ROBERTSON. (Cleveland, Ohio: The Arthur H. Clark Company. 1911. Pp. 376, 391.)

THE volumes prepared by Mr. Robertson on the social and political condition of Louisiana about the time of the cession to the United States form a most valuable and interesting aid to the student. Many of the documents in the volumes, though not printed before, were used by Mr. Henry Adams in his richly documented *History of the United States*, being printed from his transcripts, now in the Bureau of Rolls and Library at the Department of State in Washington. But others represent materials quite new to the ordinary student, chiefly from the increasing collection in the Library of Congress. In his preface, the editor explains that the papers reprinted represent merely a selection from the documents available, omitting, for example, all papers bearing upon the Burr episode. The richness of the material selected can be understood from a few items. In the first volume we have a very full and free account of Louisiana by Dr. Paul Alliot, a new document given in French and in English; an account of the political condition of Louisiana about 1785, by the Spanish intendant, Martin de Navarro, showing the nervousness of the Spanish officials lest the English or the Americans should penetrate the barrier which they sought to interpose above Mexico; a similar document from Governor Gayoso de Lemos on conditions in Louisiana, 1792; and a military report on Louisiana and West Florida, by Carondelet, 1794. In the second volume, we have the correspondence of the English ambassadors in regard to the purchase of Louisiana by the United States; the very significant Casa Irujo correspondence indicating the anxiety of the Spanish upon that subject; a fairly complete collection of documents relative to the vexed question of the boundaries of Louisiana, from Spanish and French officials and from Claiborne and Wilkinson; considerable excerpts from the letters of Claiborne to Madison and others; and Vicente Folch's reflections on Louisiana, showing, in his own words (p. 328) "the dangerous tendency of the retrocession of Louisiana to the French government", and the fears excited in the breast of every patriotic Spaniard, continues the governor of West Florida, by that retrocession.

The selection of documents to illustrate conditions in Louisiana seems to have been made with care. We have the opinions of officials and the impressions of unofficial observers, Spanish, French, and American. We could hardly expect more in the compass of two volumes; but we cannot help expressing a regret that the editor did not carry out the "intention

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to compile a calendar of all the manuscript letters treating of Louisiana for the period embraced in the documents of the volumes, which exist in the Library of Congress and in the Department of State in Washington". The need for such a compilation is rather emphasized by the avowedly imperfect nature of the bibliography and notes. The editor, being called away from Washington before his work was completed, has given us work that is somewhat uneven in these important matters, with omissions which he, of course, could not help, but which we cannot supply. This part of the work, therefore, represents a starting point, rather than a definitive study.

The document given chief place in the collection is the memoir by Dr. Paul Alliot, a physician whom we might harshly call a quack, since he professed to cure (I. 146) practically all diseases, including "cancers or cankers, even after gangrene has set in". Dr. Alliot, after a quarrel with officials and with a wealthy surgeon at New Orleans, was deported and variously persecuted. Hence his reflections upon Louisiana are not unspiced with personalities, and are perhaps the more valuable in that he has manifestly set himself the task of delivering a plain unvarnished tale, which becomes in some measure a tale varnished by his resentments. The volumes are generally well printed, but not free from errors; one of these, on page 82, misprinting the last letter of the French word *cou,* produces a complete inversion of the sense. But though there are few misprints that matter, one can not but regret that the translation of Dr. Alliot's French is so stiff and unidiomatic. We have space for but one illustration: the French *appointement,* preferably in the plural, is not equivalent to English *appointment,* by which it is rendered (pp. 77, 79), but should be given idiomatically, salary or stipend.

PIERCE BUTLER.

A Documentary History of American Industrial Society. Edited by JOHN R. COMMONS, ULRICH B. PHILLIPS, EUGENE A. GILMORE, HELEN L. SUMNER, and JOHN B. ANDREWS. Prepared under the auspices of the American Bureau of Industrial Research, with the co-operation of the Carnegie Institution of Washington. With preface by RICHARD T. ELY and introduction by JOHN B. CLARK. Volumes VII., VIII., IX., and X. *Labor Movement.* (Cleveland, Ohio: The Arthur H. Clark Company. 1910–1911. Pp. 364, 346, 379, 370.)

VOLUMES VII. and VIII. of the *Documentary History of American Industrial Society* cover the history of the American labor movement from 1840 to 1860. These two volumes differ widely in their plan from the two preceding volumes which dealt with the period 1820–1840 (reviewed in this journal, XVI. 359). This difference is due to the difference in the character of the movement in the two periods. From 1820 to 1840 the labor movement possessed unity and continuity while from 1840 to 1860 it was broken up into several unconnected and even

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

opposing movements. The result is that while the sections in volumes V. and VI. deal with the history and activities of various labor organizations arranged in the order of their emergence, the sections in volumes VII. and VIII. deal with various movements which in part are contemporaneous and conflicting. The documents are divided into five groups according as they relate to Economic and Social Conditions, Owenism and Association, Land Reform, Hours of Labor, and Labor Organizations.

The first group of documents, entitled "Economic and Social Conditions", is intended to afford a view of the conditions which influenced the labor movement of the period. They relate chiefly to immigration and the rising factory system. Although none of the documents in this group throws new light on the economic conditions of the period, they are well selected to illustrate those conditions.

The section devoted to Owenism and Association consists chiefly of extracts from the *New Moral World*, the *Harbinger*, and the *Phalanx*. They enable the reader to follow the chief events in the Fourierite movement, but they do not add much to our knowledge. Noyes, Nordhoff, and Hinds appear to have exhausted the material on the subject. Few parts of American social history have been studied so assiduously as the communistic experiments and it was hardly to be expected that much new material would be found even by such diligent search as is here in evidence.

The documents under the head of Land Reform lie in a field much less tilled by historians and the treasure turned up has been correspondingly richer. The documents cover the development of the "Vote yourself a farm" propaganda, its relation to other movements of the period, the Industrial Congress, and the debates on the public lands in Congress in 1846 and 1852. The sources are chiefly the *Workingman's Advocate* and *Young America*, workingmen's newspapers published by George Henry Evans, the prophet of the movement. There are also numerous extracts from the New York *Daily Tribune* and the *Congressional Globe*. The documents are highly interesting since they show that the inception of the homestead-exemption legislation of the forties can be traced directly to the influence of Evans and the workingmen's movement of which he was the father. The editors also show that the ultimate adoption by the federal government of the policy of granting lands to actual settlers was largely due to the same influence.

The documents relating to hours of labor are chiefly drawn from the *Awl*, the *Voice of Industry*, the *Workingman's Advocate*, and the Massachusetts state documents. They deal with the proceedings of the New England Workingmen's Association, 1845–1847, the reports made by the committees of the Massachusetts legislature on the effects of long hours of labor, and the New Hampshire and Pennsylvania ten-hour laws passed in 1847 and 1848. The most interesting of the documents are the extracts from the labor newspapers of the period, in which the development of the agitation and the views of the leaders are shown with great clearness.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The final section, on Labor Organizations, covers a wide range, *e.g.*, convict labor and the organization of women workers. The most important set of documents relates to the organization of co-operative and benevolent trade-unions from 1845 to 1851. The New York State Industrial Legislature and the New England Industrial League were the offspring of this movement. It is clearly shown by the documents here printed, consisting chiefly of extracts from the *Mechanic's Mirror, Workingman's Advocate, Voice of Industry,* and other labor newspapers, that productive co-operation was much in favor at the time as a solution of the labor problem.

In 1853–1854 there was, as is well known, a rapid increase in the number of trade-unions which relied on collective bargaining and not on co-operation. The oldest American national trade-union dates its continuous existence from 1850. At least five national unions still active—the printers, the hatters, the stone cutters, the glass bottle blowers, and the iron molders—were organized between 1850 and 1860. It is disappointing to find no documents relating to the organization of these unions. The only documents relating to the revival of "pure and simple" trade-unionism are the proceedings of a central labor union in New York City and of a New York state convention of cigar-makers.

Volumes IX. and X. cover the history of the American labor movement from 1860 to 1880. The documents are divided into seven groups, entitled Labor Conditions, National Labor Union, Ira Steward and the Hours of Labor, International Attempts, Knights of Labor, and Farmers' Organizations.

The documents in the section devoted to Labor Conditions relate to the increasing cost of living due to the Civil War and to the inflation of the currency, the importation of European and Chinese labor, and the organization of employers' associations. The documents relating to the first two subjects are merely illustrative of conditions already well known to students, but those relating to employers' associations are important, since they show that the employers were better organized at this period than has heretofore been supposed.

The group of documents relating to the National Labor Union is one of the most valuable in the *History*. Apparently only the proceedings of the second session were printed separately, but accounts of the proceedings of the other sessions have been found by the editors in Finchers's *Trades Review, Daily Evening Voice, Workingman's Advocate,* and other labor newspapers of the period. It is a matter of regret that the editors have not reprinted these accounts in full. Probably on account of limitations of space, numerous omissions have been made. Brief editorial summaries supply to some extent the gaps, but the usefulness of the accounts as historical material remains greatly impaired. The National Labor Union is of interest not only to students of trade-unionism as the precursor of the Knights of Labor and the American Federation of Labor, but also to students of the political and social movements of the time. From 1866 to 1871 the National Labor Union

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was a meeting-place for the advocates of woman's suffrage, cheap money, co-operation, eight-hour legislation, and almost every other panacea for social and industrial evils.

The eight-hour movement which began to be important in the United States in 1863 is attributed by the editors largely to the efforts of Ira Steward, a Boston machinist. The documents relating to this movement are chiefly pamphlets and addresses by Steward.

The documents in the section on International Attempts are comparatively few and relate chiefly to the attempts of the leaders of the International in the United States to secure control of the National Labor Union. The most important documents are extracts, now printed for the first time, from the copy-book of F. A. Sorge, the leader of the American branch.

The documents relating to the Knights of Labor are disappointing both in number and character. They are intended apparently merely to illustrate the secrecy of the order and its resemblance to the fraternal associations of the period, and consist of the initiation ceremony, the founding ceremony, the great seal of the order, and an extract from the *National Labor Tribune* on the rapid spread of secret orders.

Of the documents relating to Farmers' Organizations about one-half are from Periam's *The Groundswell* and Kelly's *Patrons of Husbandry*. Nearly all the remainder are from the *Proceedings* of the National Grange of the Patrons of Husbandry. The extracts for the most part are brief and with numerous omissions. They serve however to illustrate the salient features in the development and activities of the Grange.

Volume X. contains a finding list of the sources quoted and an elaborate index to the entire *History*.

GEORGE E. BARNETT.

Rapport sur les Archives de France relatives à l'Histoire du Canada. Par J.-EDMOND ROY. Publié avec l'autorisation du Ministre de l'Agriculture, sous la direction de l'Archiviste. [Publication des Archives du Canada, no. 6.] (Ottawa. 1911. Pp. 1093.)

THIS report is the result of a five months' mission to France the object of which was, first, "to study the organization of the archive depots of that country and the method of classifying their manuscripts", and secondly, "to prepare a general inventory of the documents in those depots of interest to Canada". As regards the study of French archival administration it must be confessed that it has by no means received that comprehensive and logical treatment that would make the book of value in the solution of Canadian or American problems. A few of the better known facts in the history of the French archives, extracts from laws and decrees, and superficial descriptions of the conditions in certain depositories, are scattered through the volume, but one will learn far more in less time by consulting the article Archives by M. Lelong in the *Répertoire Général Alphabétique du Droit Français*.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

M. Roy has fulfilled the second object of his mission by extracting, mainly from printed catalogues and inventories, all that seemed to him of interest for Canadian history. This he has done so comprehensively that it seems hardly probable that any public depository of archives or manuscripts in France at all likely to contain important Canadian material has been passed over. It is evident however that such a compilation adds very little to the readily obtainable information already at our disposal. With the exception of the few cases where M. Roy has copied from unprinted inventories (mainly in the Dépôt Hydrographique de la Marine), or has himself examined the documents (principally in the case of about fifteen volumes in the Ministry of War, a few volumes in the colonial archives, and a larger number of volumes in the Bibliothèque Nationale) his report might as well have been compiled in Ottawa as in Paris, and most students will probably still prefer to examine the catalogues for themselves. Indeed it will be much better for them to do so, for the present compilation is doubly misleading. Not only does it mention volumes which upon examination are found to contain nothing even remotely relating to Canada, but it fails to indicate, even by suggestion, a vast number of volumes that do contain material For example, out of about a hundred volumes in the archives of the Ministry of War that have been found to contain documents relating to Canada only thirty are mentioned by M. Roy. The number of volumes in the Bibliothèque Nationale which he mentions could be greatly increased, and his indications respecting Canadian material in the Archives Nationales are so inadequate as to be derisory.

The workmanship of the report is intolerably poor. Proper names, even when copied from printed volumes, are continually misspelled, shelf-marks are erroneously indicated, documents are incorrectly dated, such terms as *ibidem* are wrongly used, and, in general, typographical infelicities abound to such an extent that one wonders if the proof-sheets were even looked at. Furthermore there is much padding either by useless repetitions or by the inclusion of material that is unnecessary or actually out of place in such a report, such as twenty pages on the trial of Bigot, or fifty pages of documents relating to Acadian families.

Finally it should be noted that the appearance of considerable learning imparted to the report by the numerous historical and bibliographical paragraphs and foot-notes is due to the fact that this equipment of scholarship is, for the most part, taken bodily, without quotation marks or other indication, from the various catalogues and other printed works that have been consulted and especially from the classic manual by MM. Langlois and Stein, *Les Archives de l'Histoire de France*.

W. G. Leland.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MINOR NOTICES

Psychology of Politics and History. By Rev. J. A. Dewe, M.A., Professor of History at the University of Ottawa, Canada. (New York and London, Longmans, 1910, pp. v, 269.) "It is an undoubtable fact that states do not remain in the same condition." Owing partly to outside influences but chiefly to influences within the nation, there is a general movement toward progress or decay, toward greater strength or weakness. "It is the purpose of this volume to show what are the general and fundamental laws and tendencies that govern this movement."

These laws, the author is persuaded from the outset, lie in the psychological field. "Human passions, human desires, and the complex movements of the human mind are the real elements that have to be taken into consideration." Now, "society is made of individuals, and therefore what the individuals are, that society as a whole must be." Accordingly, "the object of our research must be to consider scientifically the constituents of this [human] element in the individual and then to see how its workings affect the condition of society".

Pursuing thus "first, the study of what happens to the individual, and secondly, the study of the symptoms of corresponding phenomena in the nation itself", Mr. Dewe sets forth that "there are approximately eight psychological tendencies or laws which explain the progress and decline of nations". Among these is what he calls, in one place, "harmony of the social element", in another, "harmony between the state and extra-state elements". One of the points he makes in the chapter devoted to this matter should give some fair impression of the book as a whole. The suppression of monasteries and dispersion of religious orders, he says, are a result of a noxious maxim about the extent of the state's authority. "While it is admitted that the Church can and should suppress those orders which by interfering unduly in politics, or by entangling themselves in financial difficulties are a menace to the welfare of society, yet the unauthorized suppression of monasteries and convents by the State is a violation of the extra-state rights of man. . . . Man's right to cultivate virtue cannot be impugned. And a part of this right is the association of persons into a society or organization whose sole purpose is the practice of virtue" (p. 63).

Mr. Dewe's book, quite clearly, is a work neither of psychology nor of history. It rather offers guidance in practical politics—guidance based in some sort on psychology and history.

The Place of History in Education. By J. W. Allen, Hulsean Professor of Modern History at Bedford College, University of London. (New York, Appleton, 1910, pp. vii, 258.) This volume is apparently an exact reprint of the English edition which appeared two years ago. It is a searching examination of the definition and nature of history, and of its place in a scheme of education. It is closely reasoned and almost over-particular in the desire to anticipate and meet every possible objec-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion to a point of view. History is defined as the result of a treatment of the past life of humanity by the human mind. This treatment the author regards as a science, the object of which is to ascertain "truth as exact as we can get it", and he regards determinism as an indispensable assumption for dealing with this science. The supreme object of the historian is a knowledge of causal relations: "He needs facts only to explain other facts" (p. 41). The author holds that the scientific historian has no business with the dramatic or the picturesque, the tragic, the comic or the pathetic, all of which are merely irrelevant. He does not object to a treatment of history as a pageant, provided it is avowedly non-scientific, and is admittedly literary and for entertainment, and not for instruction. Nearly half of the volume is devoted to this preliminary discussion.

The author next proceeds to discuss the nature of education, among the prime objects of which he finds "the emancipation of the intelligence" (p. 123). "We want to make it easy and even habitual to suspend judgment" (p. 124). For such training he finds value in the study of scientific history, and discusses the materials and methods to be used in teaching it. He has no toleration whatever for the teaching of history with a distinctly patriotic or moral aim. A brief but interesting chapter "Concerning Differences of Sex" holds that "the education that will be good enough for women will be just good enough for men". The discussion of the beginnings of historical study is sound and extremely suggestive, great emphasis being rightly placed on the study of the village or community as a society in little (p. 195). From this it is easy to work back to government, and to introduce the idea of time and change. The author prints three brief studies on "The Reformation", representing in purposely exaggerated form the Protestant, the Catholic, and the social-political point of view.

The volume is unique in this field, and a very suggestive and stimulating study which American teachers may read with great profit.

J. M. Gambrill.

The Study of History in Secondary Schools. Report to the American Historical Association by a Committee of Five: Andrew C. McLaughlin, Charles H. Haskins, James H. Robinson, Charles W. Mann, James Sullivan. (New York, Macmillan, 1911, pp. 72.) The Committee of Five making this report, appointed in December, 1907, was composed of three college professors and two secondary school men: of the latter, however, Mr. Charles W. Mann died a little over a year after the committee was appointed. Two members of the committee were also members of the Committee of Seven which reported upon the same subject in 1899. While taking the report of the earlier committee as its starting-point, the Committee of Five made a new study of the actual conditions of history teaching in the schools, and again entered upon a careful consideration of the history curriculum. In this study and consideration it obtained facts and opinions from all parts of the country

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

through answers to circulars of inquiry and by discussions in meetings of history teachers.

The report is much briefer than that of the Committee of Seven; it embodies few statistics, has no consideration of the purpose of history teaching, gives few detailed suggestions as to method, and in all contains less than nine thousand words. Yet it is in many respects a model of what a committee report should be. It is sane and self-controlled in the face of strong temptations toward radicalism and controversy; it is helpful and stimulating, so that any teacher of history will rise from its perusal a better teacher and a more enthusiastic historical scholar; and it is written in such an interesting style that the reviewer believes it will be read with pleasure by many not actually engaged in the teaching of history. The report divides logically into two unequal parts; the larger portion containing a consideration of the best ways of handling the historical periods recommended by the Committee of Seven, the remainder being devoted to a discussion of proposed new courses in history.

In discussing the four divisions—Ancient, Medieval and Modern, English, and American—the report first notes how widely these periods have been adopted throughout the country; then it proceeds to answer some criticisms which have been made to the division; and lastly it suggests practical means for rendering this course of four subjects more manageable. More important than any questions of curriculum is the securing of properly trained teachers of history. Under such teachers the schedule will be practicable, because they will not try to cover the "whole range of history with a layer of information of uniform thickness", but by wise omissions and clever condensations in some places will find time to plough deeper in others. This sentence gives, indeed, the key-note of the whole report: in the ancient history course the constitutional development of Athens and of Rome should be subordinated to those facts which the first-year high school student can comprehend; in the other fields the unimportant and unintelligible must give place to the significant and the comprehensible. The teacher, closely in touch with the facts of history and with the psychological limitations of his class, must continually select his material. Eschewing mere memorizing on the one hand, and indistinctness and uncertainty on the other, he should obtain two products from his students: a firm grasp of a reasonable quantity of facts, and a sense of the meaning of historical facts and appreciation of what history is. Under the American history course, the report advises the giving of American history and American government as two parallel courses in the fourth year, three-fifths of the time to be given to history and two-fifths to government.

In the second place, the report submits a suggested new schedule of courses, growing out of the strong demand recently appearing for a greater emphasis upon modern history. This schedule includes (a) Ancient history to about 800 A.D.; (b) English history to 1760, showing as far as possible the chief facts of European history and something

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the colonial history of America; (c) Modern European history from about 1650, with an introductory account of antecedent development, and including the history of England from 1760, and something of American colonial history; (d) American history and government. This schedule it is not proposed to substitute for the old at once in every school; it is presented by the committee as meeting the demand for a more detailed study of recent European history, and as practicable in schools which are well equipped to take up the serious study of the modern period. In the opinion of the reviewer, it would not be possible to extend it at all widely until history teachers are better trained, until new text-books are written, and until history classes are better equipped with the materials needed for their study.

A. E. McKinley.

The Roman Wall in Scotland. By George Macdonald, M.A., LL.D., Honorary Curator of the Hunterian Coin Cabinet, University of Glasgow. (Glasgow, James MacLehose and Sons, 1911, pp. xvi, 413.) The new book on Antonine's Wall is popular in style, while scientific in substance. All the evidences are collected and skilfully discussed. That two such works as this and Mr. Curle's *A Roman Frontier Post* should appear almost simultaneously is an evidence of activity in Romano-British archaeology. In fact the discoveries made at Newstead and splendidly presented in Mr. Curle's book are an incentive to exploration; Dr. Macdonald makes frequent reference to them and is inspired (*e.g.*, p. 201) with great hopes of further pits awaiting the spade. His work not only is a masterly résumé of knowledge and opinion on the Wall, especially of the advance made in the last decade or two, but looks forward with suggestions to continued and profitable excavation.

Dr. Macdonald expresses a justifiable confidence (p. 383) that his book gives "a clearer picture of the fortunes of the Limes than it has hitherto been possible to obtain". In the first 90 pages he sketches the literary tradition, the Roman military and frontier system, and the older antiquaries' writings on the Limes. Then comes a general account of wall, ditch, "outer mound", and military way, followed by an itinerary of the route redolent of the pedestrian's intimacy. The comparative method is employed, with just knowledge of the German Limes, both here and in the study of the remains of the forts, which comes next and is perhaps the most important part of the work. After some chapters on inscribed stones and miscellaneous remains, the conclusion sets forth very clearly the import of the Limes to be not so much a war defense as (1) to impress the natives both north and south, and to mark the Roman boundary, (2) to keep watch over peace from forts unusually high-placed and provided with beacon-towers, (3) to keep frontier traffic to the recognized roads and prevent smuggling, (4) to cut down "isolated marauders". Its garrison of auxiliaries was probably not over 10,000 for the 36 miles of length, and thus, while its tenure lasted (some 40 years in the latter second century), it was a gendarmerie rather than an army.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

On page 50 the author says that "the British legions were not necessarily raised locally in the age of the Antonines; every rule has its exceptions, and the area of the Romanized part of the province was small compared with the size of the force that the military situation demanded". Were any but a few Britons, apart from those drafted abroad, ever Romanized?

On page 65: "It would be a mistake to assume that the [defensive] policy of Augustus was abandoned through mere lust of power. The change was due rather to the irresistible pressure of circumstances. We can see this more clearly by noting what happened on the Rhine." Much more clearly indeed. What good reasons can be given for Claudius's invasion of Britain? As Dr. Macdonald says (p. 66, note 2), Claudius's withdrawal from Germany was probably due to "the strain that the conquest of Britain was imposing on the military resources of the Empire".

A very pleasing vein of humor crops out here and there in the book. It is interesting throughout. The illustrations are profuse, judicious, and handsome, the plans clear and well placed, and the index generally good.

W. F. TAMBLYN.

Sidelights on Teutonic History during the Migration Period, being Studies from Beowulf and Other Old English Poems. By M. G. Clarke, M.A. (Cambridge, University Press, 1911, pp. xiv, 283.) These studies "form an attempt to discover the amount of historical truth underlying the allusions to persons and events in the Old English heroic poems". The subject is one that has engaged the attention of many notable scholars; but Mr. Clarke is probably the first who has tried to investigate the entire field. The author rejects the older theory of mythological significance; he feels satisfied that with the exception of the Weland Saga all the tales have historical bases, though there has been much poetic amplification in every instance. Mr. Clarke reaches this result by a comparison of all the various forms in which the materials appear, Latin, Old English, Old Norse, and German; but most credence is given to the Anglo-Saxon versions, as they are the most ancient. These begin with *Widsith*, the core of which belongs to the fourth century, and close with the Beowulf materials which must have come to England about 550. In those days the famous Rolf Kraki ruled in Denmark, with suzerain authority, as the author believes, over Gauts and Swedes. Among his henchmen was one Bodvar Bjarki, the hero of the *Bjarkamál*, who has been identified with Beowulf, an identification that Mr. Clarke accepts. He also accepts the identification of the Geats with the Gauts in southern Sweden and rejects Bugge's hypothesis that they were not Gauts but Jutes. Bugge's belief received new support in a paper by Dr. Schütte of Copenhagen which was read at the recent meeting at Chicago of the Society for the Advancement of Scandinavian Study (*Publications*, vol. I., no. 1). Should this view prevail, Mr. Clarke's argument would need considerable revision. He concludes that Walter

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of Aquitaine was really a Sueve or a Vandal belonging to one of those tribes that broke the Rhine frontier in 406–407. The Hengist of the Finn fragment he is inclined to regard as the Hengist of the Jutish invasion, in spite of the fact that the fight at Finnsburg was more than two generations subsequent to the landing at Thanet. Mr. Clarke has written an exceedingly interesting and suggestive work, but to accept all his conclusions would be a risky matter, as he is skating on extremely thin ice.

LAURENCE M. LARSON.

Die Gesetzgebung der Normannischen Dynastie im Regnum Siciliae. Von Hans Niese. (Halle a. S., Max Niemeyer, 1910, pp. vii, 215.) The thesis of Dr. Niese's book is that the law of the Norman kingdom of Sicily, instead of being of Roman and Byzantine origin as has been commonly supposed, was fundamentally West-Frankish, having been in part imported by the conquerors as Norman custom and in part developed by the kings of the twelfth century under the influence of Anglo-Norman and Angevin precedents. This view is elaborated with learning and acuteness and a certain measure of success, but it is not firmly established. Like too many German writers upon the history of law, the author suffers from the effort to carry out "ein durchgehendes Prinzip" and relies too frequently upon doubtful interpretations of single texts. He shows, however, a wide acquaintance with the legal sources of the period, including the Roman and canonical as well as the Germanic; his detailed analysis of the legislation of King Roger and his immediate successors is distinctly useful. We shall look with interest for the work on the legislation of Frederick II. to which this volume is designed to furnish the introduction. If Dr. Niese develops caution in proportion to his learning and ingenuity, he should be able to contribute considerably to the solution of a complicated and fascinating group of problems in the history of medieval institutions.

C. H. H.

König Robert von Neapel (1309–1343): Seine Persönlichkeit und sein Verhältnis zum Humanismus. Von Walter Goetz. (Tübingen, J. C. B. Mohr, 1910, pp. v, 72.) This is a sane and readable attempt to estimate the place of Robert the Wise in relation to the intellectual development of the fourteenth century. The author does not try to make Robert appear as a creative force, but rather as a many-sided personality who maintained a receptive attitude toward the new tendencies of his age. The king's temper was essentially scholastic, but he showed some appreciation of classical antiquity, and after all, as Professor Goetz well says, it was the scholastic revival of antiquity which opened the gates of the ancient world to the humanists. It is pointed out that humanism at the Neapolitan court did not begin with Petrarch, whose relation to the forerunners of the Renaissance, in the kingdom of Naples and elsewhere, remains a matter of much obscurity. Goetz prints the headings of King

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Robert's extant sermons, two hundred and eighty-nine in number, as they appear in the manuscripts; one wonders whether originally there may not have been, besides the occasional discourses, a complete series for Sundays and saints' days throughout the year. The author criticizes severely his predecessors, especially Baddely, for their neglect of the Angevin registers at Naples, but he does not himself appear to have made direct use of this inexhaustible storehouse of material.

C. H. H.

Die Anfänge der Französischen Ausdehnungspolitik bis zum Jahr 1308. Von Fritz Kern. (Tübingen, J. C. B. Mohr, 1911, pp. xxxii, 375.) When the development of royal power in France toward the end of the Middle Ages left the country free to turn its attention to the question of foreign expansion, it found itself hemmed in on every side by well-established states which forbade any such policy of colonization and settlement as the Germans were enabled to pursue on their eastern frontier, the Spanish to the south, or the English in the direction of Ireland. Consequently national expansion became wholly the work of the government, and the state of the Empire after the Interregnum made the eastern and southeastern frontiers a suitable field for its activities. It is the policy pursued here by Philip IV. that Kern has made the subject of a painstaking study which throws much light on the intricate political history of that much-discussed reign. The work is divided into three books, the first of which discusses the conditions and theories which underlay the French policy of this period; the second traces its development from the time of Charles of Anjou, whose schemes of world conquest continued through the reign of Philip III. to modify the true aims of French policy, down through the first seven years of Philip IV.'s reign, by which time the narrower but more practical ideas of that king had pointed out the way of future development; while the third book traces the negotiations and intricate procedure resulting in the annexation of Lyons and of territory along the Lorraine frontier, the partial absorption of Franche Comté and the formation of a league of Rhenish princes subservient to France, the whole culminating in the unsuccessful attempt to place a Capetian prince on the imperial throne in 1308.

Although this is the author's first book, he has already distinguished himself by a series of articles in the Austrian *Mittheilungen* ("Analekten zur Geschichte des 13. und 14. Jahrhunderts") and by a contribution to the volume of studies dedicated to K. Zeumer (noted in this REVIEW, XVI. 412). The new facts in the present work are largely drawn from his *Acta Imperii, Angliae et Franciae,* recently published under assistance from the Böhmer-Fund, the fruit of industrious researches among the hitherto unprinted archives dealing with the foreign relations of Germany in this period. Much of the value of the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

book, however, consists in the bringing together of material scattered in monographs of local history and geography which enables the student for the first time to follow out the entire policy of French expansion at this period in all its intricate details and gives to it a more consistent and deliberate aspect than recent writers like Langlois have been willing to recognize. Occasionally a tone of national hostility to France obtrudes itself in the judgments of the writer, but this is to be found in those portions of the book dealing with the general aspects of the question rather than in the narrative sections.

A. C. HOWLAND.

Le Bourgage de Caen: Tenure à Cens et Tenure à Rente (XI^e–XV^e Siècles). Par Henri Legras, Docteur en Droit. (Paris, Arthur Rousseau, 1911, pp. 525.) Both in subject and in method of treatment, the monograph of M. Legras offers an admirable example of what can be done with a doctor's thesis in the field of legal history. Its author has taken a definite and practicable topic and has investigated it, not only in the *coutumiers* and court rolls to which attention is too often confined, but in the mass of charters and contracts and notarial instruments of various sorts which show the concrete detail of legal institutions. Accordingly the nature and development of burgage tenure in relation to the lord receives less attention than the actual legal relations between townsmen so far as these are concerned with the tenure of land, and the results are significant for many phases of medieval law as well as for the mechanism of urban life. Caen offers an excellent field for an investigation of this sort, not only because of its rapid growth under the fostering care of the Norman dukes, but also because of the opportunities for comparative study afforded by the parallel development of its three constituent *bourgs* under the lordship respectively of the king, the abbot of S. Étienne, and the abbess of La Trinité. M. Legras wisely refrains from much generalization and comparison, though he shows an acquaintance with the German and Flemish literature of the field. Curiously enough he seems unfamiliar with the less abundant but for his purposes more significant discussions of burgage tenure in England, particularly Miss Bateson's writings and Dr. Hemmeon's recent articles. It is a pleasure to note that the author proposes to continue his studies of medieval land law and to treat at the same time the related matters of economic history.

C. H. H.

Four Thirteenth Century Law Tracts. By George E. Woodbine. (New Haven, Yale University Press, 1910, pp. 183.) Mr. Woodbine has placed before students of English legal history an excellent edition of four law tracts of the thirteenth century—*Fet Asaver, Judicium Essoniorum, Modus Componendi Brevia* (otherwise known as *Cum Sit Necessarium*), and *Exceptiones ad Cassandrum Brevia*. Too long have these lesser writings on English medieval law been known only by

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

name; and Mr. Woodbine has rendered a real service therefore by rescuing them from their manuscript hiding-places. Although not so important as other legal works of the thirteenth century—such as the writings of Bracton, Britton, *Fleta,* and the *Summae* of Hengham—they are nevertheless well worthy of careful study; and if careful study be devoted to them, they will undoubtedly supplement, and perhaps at places even correct, our present knowledge of thirteenth-century law in England.

The reader of these little tracts must not however expect to find in them much originality in legal thinking; for the years following upon the appearance of Bracton's great treatise were not years characterized by original thought along legal lines. But Mr. Woodbine is right in emphasizing the conciseness and practical utility of these small tracts. All four deal with the procedure of courts and the legal problems relating thereto: and in trying to appreciate the significance of the tracts for the law and the lawyers of the thirteenth century we must not forget that pretty much all the problems of substantive law in those early days resolved themselves around problems of procedure, the rules of the substantive law being concealed from the novice by countless rules of procedure and proof.

Not the subject of least interest discussed by Mr. Woodbine in his valuable introduction of fifty pages is the authorship of the tracts. The authorship of all four is uncertain; but there is some evidence that points to Ralph de Hengham, one of the greatest of Edward I.'s judges and the acknowledged writer of the *Summae,* as their possible author. Three of the tracts are attributed to Hengham by some manuscript or other, and, to quote our editor's words, "the internal evidence connects two of them so closely with the *Summae* of Hengham as to make it seem at least probable that he was the author". But we cannot go into this matter here: and indeed Mr. Woodbine's argument should itself be read in its entirety.

We are sorry that the learned editor has supplied no index of matters and no translation of the original text of the tracts. In the case of the *Judicium Essoniorum* and the *Modus Componendi Brevia* this absence of an English translation will not be felt so keenly, for they are in Latin; but the other two tracts are in Norman-French, and, though Maitland's work has increased the interest of historical scholars in that language, there are still many learned in law and in medieval times who do not pretend to fluency in it.

It is to be hoped that the scholar who restored to us the long-lost Thornton and who now presents us with this fine little collection of medieval law tracts will busy himself still further with matters of English medieval law and legal literature.

H. D. HAZELTINE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Oak Book of Southampton of c. 1300. Transcribed and edited from the unique MS. in the Audit House, with translation, introduction, notes, etc., by P. Studer, M. A., Professor of French and German at Hartley University College, Southampton. Vol. I. [Publications of the Southampton Record Society, edited by Professor F. J. C. Hearnshaw, M.A., LL.D.] (Southampton, Cox and Sharland, 1910, pp. xliv, 160.) The Oak Book gives an interesting picture of life in Southampton in the fourteenth century, its customs, its dominant ideas, its principles of government and trade. No mention of it has been detected in the numerous Southampton manuscripts. The editor therefore concludes that until recently the document went by the name of "Paxbreade", to which there are frequent references, especially one by William Overey, clerk and sheriff of the town in 1473. The book is bound in oak covers. One is longer than the other and has a slit at the bottom through which the clerk put his thumb for convenience in holding the book while reading.

Portions of the Oak Book have been published at various times—particularly chapter IV.—from which the late Dr. Charles Gross drew largely in his work on the English *Merchant Guild.* The present edition contains an introduction of some 43 pages. Chapter I. has a fragment of an early tariff of pontage dues, with other notes made in the fifteenth and sixteenth centuries. Chapter II. tells of the freedom of toll granted to the men of Lowestoft, probably by Henry IV. in 1401.

Chapter III. gives an incomplete list of the boroughs of England, with particulars relating to their charters. It is valuable as a record of the English towns with which Southampton traded from the twelfth to the fourteenth centuries. Chapter IV.—the Ancient Laws and Ordinances of the Guild Merchant of Southampton—is the longest and most important part of the Oak Book, and, together with chapter V., is assigned to 1300.

The appendixes include an English version of the Guild Ordinances by William Overey, 1473; a translation by Dr. Speed, 1770; the "Modern Laws", a slightly modified version of the Ordinances, which constituted the legislative code of Southampton to 1835; and 38 ordinances, enacted in the mayoralty of Thomas Overey in 1491.

C. T. Wyckoff.

The Lollards of the Chiltern Hills: Glimpses of English Dissent in the Middle Ages. By W. H. Summers. (London, Francis Griffiths, 1906, pp. vi, 186.) This little book is an attempt to trace, chiefly by the aid of printed sources, though with recourse now and then to material still in manuscript, the evolution of the Lollard movement in South Buckinghamshire. In eighteen short chapters Mr. Summers deals successively with the religious life in Buckinghamshire in the Middle Ages, Wycliffe and the early Lollards, the revival of Lollardry on the eve of the Reformation, and the relations of Lollardry and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Protestantism. His treatment of the early Lollards (chapters IV.–VI.) offers little that is new or that is not better set forth in the general histories of the movement. Of far greater value are the chapters (VII.–XVIII.) in which he narrates the fortunes of the sect from its apparent suppression in the mid-fifteenth century to the breach with Rome. The reviewer can recall no other work in which are collected and grouped, in a manner to make clear their actual place in the life of the time, so many concrete facts about the later Lollards. Two points, moreover, are treated with special success. One is the interesting question of the continuity of the movement. On this Mr. Summers assembles evidence which indicates that, at least in the region under discussion, Lollard congregations enjoyed an uninterrupted existence from the early fifteenth century to the beginning of the Reformation. The other point is the problem of the authenticity of the "Register of Bishop Longland", the source utilized by Foxe in his pages on the Buckinghamshire heretics. There is no space here even to summarize the argument (chapter XI.); one can only note that its result is to establish pretty conclusively Foxe's good-faith. For these features—as for still others which must be left unmentioned—the book ought to prove suggestive reading to all students of the popular origins of the English Reformation.

RONALD S. CRANE.

Dr. Gisbert Brom's *Archivalia in Italië belangrijk voor de Geschiedenis van Nederland,* II. *Vaticaansche Bibliotheek* (Hague, Nijhoff, 1911, pp. xiv, 550) continues, upon the plan described in our notices (XIV. 656, XV. 405) of the two sections of part I., the calendaring of specific documents of importance for Dutch history found at Rome. Only 399 documents are entered, for, by a modification of method, full texts are often given, and in other cases long extracts. A third of the book is taken from the "Vaticana Latina", and nearly a third more from the Barberini collection. The introductions and indexes are excellent. The volume is of especial value for the beginning of the Reformation and the hundred years immediately succeeding, to which period most of the pieces belong.

L'Évolution Industrielle de la Belgique. Par Jan St. Lewinski. (Brussels and Leipzig, Misch et Thron, 1911, pp. xiv, 444.) The first part of this book is a survey of theories of economists and sociologists which might be applied in explanation of the phenomenal changes which have taken place in Belgium in the nineteenth century. The second part deals with their historical application. It is evident at once that the author is an economist rather than a historian: theory comes first, facts follow. Moreover M. Lewinski objects to inductive study unless the line of research is amply charted by hypotheses. This enables author and reader to felicitate each other as they verify their verifications, but it tends to dissipate any illusions which they might

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

otherwise entertain as to the originality of their enterprise. On the other hand the material has been handled in a careful and painstaking manner. The manual is, therefore, both a convenient summary of the essential facts of Belgian industrial history and a neat survey of the theories commonly in vogue with reference to the sociological problems involved in such a phenomenal growth of population and wealth, transformation of intensive farm agriculture to the factory system and readjustment of social pressures. The plan of the book has something to be said for it; but so much space is taken up with discussion of theories—some of which might better be left to die where they are dying—that the actual narrative is unduly compressed.

Since practically all economic arguments which bear upon the problem are passed in review here, it is impossible within the limits of this notice to discuss the contribution of Mr. Lewinski further than to indicate that his criticism is in general sane rather than original, history having proved of as much service to him as economics, by enabling him to show up the vagaries of extremists and the distortions of polemists. But the synthetic side is more open to question. We doubt whether the "growth of population" is a better formula for the cause of the Industrial Revolution than the "Commercial Revolution" or the "growth of capital" of Mr. Brooks Adams and others. History has no such formulas.

J. T. Shotwell.

Secret Societies and the French Revolution, together with Some Kindred Studies. By Una Birch. (London and New York, John Lane Company, 1911, pp. 262.) This volume is composed of four essays, of about equal length, reprinted from the *Edinburgh Review* and *The Nineteenth Century and After* and bearing the titles, Secret Societies and the French Revolution, The Comte de Saint-Germaine, Religious Liberty and the French Revolution, and Madame de Staël and Napoleon. The essays are attractively written, semi-popular in their nature and intended, one would assume, for the general reader. The student of the French Revolution may be entertained by these sprightly pages; he certainly will not be instructed. The first essay, that upon Secret Societies and the French Revolution, is perhaps the most ambitious, and at the same time the most unsatisfactory of the four. The chief defect of the study is the failure to realize the fact that a wide and often impassable gulf separates working hypotheses from conclusions resulting from exhaustive research and critical study of evidence. The substitution of the first for the last does not constitute scientific progress. The paragraph from Acton's *Lectures on the French Revolution*, serving as a motto to the book, is a good illustration of this bad practice. "The appalling thing in the French Revolution", wrote Acton, "is not the tumult, but the design . . . the Managers remain studiously concealed and masked: but there is no doubt about their presence from the first." How it is possible to prove anything about

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the activities of individuals who "remain studiously concealed and masked" is not evident at the first glance nor, for that matter, even at the last. The assumption of the writer of the essays that historians have not written of the rôle of secret societies in the French Revolution because "historians have generally chosen to deal with facts, rather than with their psychological significance", is pure assumption, if it has any meaning. The influence of secret societies is a complex *fact*, if it can be shown that such an influence existed. That it did exist has never been doubted. The real problem is what was its nature and how widespread was it. The reason the problem has not been solved is the lack of evidence. After the existence of secret societies has been established, after their number, the classes of society included in their membership, and the nature of their activities have been determined, the relative part they played in bringing about the Revolution will still be unsettled. A document written in 1777 proposed the formation of a secret order within the order of the Masons for the reason that "although the aim of masonry was to arouse the minds of men to a knowledge of the universal creator of nature and of the primitive relations of fraternity and equality which exist among all men", but little of real value had been accomplished, and many had left the order in disgust. The evidence would seem to indicate that the Masons in France in the eighteenth century, as a body, were innocent of any organized attempt to revolutionize society. That many leaders of the Revolution were Masons is an interesting fact, but it does not follow that they were revolutionists because they were Masons nor that in directing the Revolution they were doing the work of the order. The volume contains some indications of research, but little of critical scholarship. There is a sprinkling of foot-notes and a carelessly constructed bibliography, with a good number of titles on secret societies, but almost nothing on the other topics.

FRED MORROW FLING.

Paris pendant la Terreur: Rapports des Agents Secrets du Ministre de l'Intérieur. Publiés pour la Société d'Histoire Contemporaine par Pierre Caron. Tome I., 27 Août 1793–25 Décembre 1793. (Paris, Alphonse Picard, 1910, pp. lx, 427.) The reports, the publication of which M. Caron has begun in this volume, were made by the "observateurs" of the French Ministry of the Interior. The plan for a systematic collection of information originated with Garat and was put into operation in May, 1793. It was developed by Paré, Garat's successor, and was abandoned only when in the spring of 1794 the ministries gave way to commissions, and when the "bureau of correspondence" was accused by St. Just of having belonged to the faction of Dumouriez and of having praised Danton. The number of "observateurs" in Paris varied from time to time, sometimes as many as fourteen reporting for the same day. From the reports extracts or résumés were prepared, which were addressed to the committees of the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Convention and the administrations interested. Three writers have already published a portion of them—Ad. Schmidt in his *Tableaux de la Révolution Française*, C. A. Dauban in his *La Démagogie en 1793 à Paris* and M. Caron himself in the *Bulletin* for 1907 of the Commission de l'Histoire Économique de la Révolution. The reports for May, June, and July, which Schmidt published, are omitted in this collection. Of the others about two-thirds, or 964, have never been printed. Unfortunately, even in this collection there are serious gaps, for of the 341 reports for Brumaire, an II, none have been found, and only eleven out of 384 for Frimaire. For other months the collection contains a fairly complete set. The reports in the present volume close with that made December 25, 1793. Their value is undoubted, for the writers appear to have appreciated the fact that they were expected to report what they saw and heard. They are not equal in value, but it is possible to check the statements of each by those of the others and by information drawn from other sources. M. Caron furnishes much of this information in his notes, and he has included in his introduction biographical notices of the "observateurs". When completed the volumes will be an important addition to our materials on the history of Paris during the Terror.

H. E. Bourne.

A Century of Empire, 1801–1900. In three volumes. By the Right Hon. Sir Herbert Maxwell, Bart., F.R.S., D.C.L., LL.D. Vol. III., 1869–1900. (London, Edward Arnold; New York, Longmans, 1911, pp. xv, 367.) The attractive, readable character of this, as of previous volumes, can be safely conceded, while its innocence of historical research and method is equally apparent, and its consistent partizanship even more noticeable. The latter point, generally criticized in earlier reviews, Sir Herbert Maxwell meets in the preface. He acknowledges bias and claims added value because of the Tory viewpoint. Enumerating Liberal historians, he writes that they "have not shrunk from frank expression of their political sympathies or refrained from expressing vigorous disapproval of men and measures with whom and with which they were not in accord. Is a conservative to be blamed for availing himself of that freedom which they have put to such effective purpose? There can be no question with less than two sides to it; future searchers after truth will hardly be satisfied without a report on disputed points from both these sides." Thus the au hor ingeniously defends himself from the imputation of pamphleteering under the guise of history. Considered as a brief for party the work is excellent, and has value as a document, while largely negligible as serious history.

The survey presented is almost entirely of the play and strife of parties in Parliament, portraying leaders, succinctly stating questions and measures, and offering an intimate view of motives. The historical value of the work is in this inside knowledge of the political game. The author was in the thick of it as assistant-whip for the Tories, and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

his estimates of men and of political conditions are the testimony of a participant. The volume covers the years 1869 to 1900, and the incidents narrated have so close a relation to present conditions in England as to increase the interest. Thus when Gladstone's county franchise bill, enlarging the electorate, was thrown out by the Peers in 1884, a campaign was inaugurated for "mending or ending" the House of Lords. The author relates with satisfaction the service of Queen Victoria in securing a compromise, thus averting a dangerous constitutional crisis; and applauds the influence and power of the crown, so wisely exercised. Gladstone is, in the main, treated with a gentleness hardly to be expected from one who participated in the Home Rule contest of 1886, though of Gladstone's change of front he writes that "his principles had lost none of their plasticity", and that Gladstone's career was "cumbered with wreckage and strewn with jettison". The most striking portrayal in the volume is that of Lord Randolph Churchill, for whose genius in politics, acumen, and leadership and courage in debate, the author has great admiration, but whose ultimate influence on the Conservative party he deprecates, holding that Churchill's Tory-Democrat theories were never sincerely held, and that he accustomed his party to pander to popular outcry. Indeed the modern Conservative party arouses no enthusiasm in Sir Herbert Maxwell, and Churchill is held responsible for what is termed the "rot of Conservative principles".

E. D. ADAMS.

Much discussion has been raised in Italy by the publication (Bologna, Nicolà Zanichelli) of an unknown autobiography of Garibaldi in verse, written during the hero's months of convalescence after the tragic conflict of Aspromonte in 1862. Garibaldi's *prose* autobiography was first printed more than a half-century ago and has since frequently reappeared in varying editions and in many languages. The historian has had ample time to become cognizant of its untrustworthiness in statements of detail and in judgments of men and events, although the work must always be regarded as a document of biographical importance, showing what Garibaldi thought of his own exploits as he looked back upon them in his later years when surrounded for the most part by the least honorable of his followers, who ministered to his party resentments and personal enmities. The *poetical* autobiography which has now appeared is of the same character. It was written in one of the bitterest periods of Garibaldi's life, after the failure of his first revolutionary expedition for the capture of Rome undertaken contrary to the wish of his wisest counsellors and without the support of his ablest and most serious followers. He blamed Napoleon III. primarily for the thwarting of his ill-timed effort, and in his verses he has given free vent to his hatred of the French emperor and of the priests. His accounts of his own well-known achievements, which form such a vital and extraordinary part of the Italian Risorgimento, exhibit real poetic feeling and are modestly given, but they contain no new historical facts

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and, as was to have been expected, they are of no literary value. In Italy some among Garibaldi's most ardent admirers have reproached the editor for having printed a work so defective from a literary point of view and lament that in so doing he has belittled Garibaldi. However it is difficult to see that either harm or much benefit has in reality been done to the hero's memory by the publication. Garibaldi's sentiments, including his violent animosities expressed in the poem, were already known, as was his tendency to patriotic and ultra-democratic bombast; and as for his form of poetic expression with its grave literary defects, it cannot seriously be suggested that the glory of Garibaldi's figure on the field of battle and of his rôle as a world-champion in the struggle for liberty could be dimmed by literary failure or literary criticism. But it may justly be noted that the period when in thought and action he best served his country had closed before he commenced to write his own epic. The poetry of action had been completed before his verses were begun. As students have long realized and as the invectives of this autobiographical poem suggest, history has yet to fully register many of the party errors and political prejudices of his later life, of which the evil effects were fortunately lessened by the wisdom and patriotic forbearance of prudent Italian statesmen, whose figures, as those of Cavour, Victor Emmanuel, Crispi, and others will gain by the publication of the full record. On the other hand something also remains to be said of Garibaldi's later blundering services to Italy as a fundamentally conservative force in the party of action; for this phase of his life much material is already available in the correspondence of his contemporaries; but it will be difficult for the historian to treat any phase of Garibaldi's life satisfactorily, and indeed it will be impossible to write a full biography, until a substantially complete and accurate edition of his letters has been prepared.

H. Nelson Gay.

An anonymous sketch of Francesco Daverio, the chief of staff in Garibaldi's First Italian Legion, killed on June 3, 1849, during the siege of Rome, was privately published (Varese, Arti Grafiche Varesine) by Daverio's family on the occasion of the inauguration of his bust on the Janiculum in Rome on April 30, 1911. Emilio Maroni Biroldi, the author of this first biography of Daverio, has written *con amore*, and also with critical judgment, and has succeeded in bringing together all available material which could illustrate the courage, ability, and patriotism of his hero, including some unpublished documents. Garibaldi spoke of Daverio as "the best of his brothers" and declared that he had the stuff of an excellent general in him.

An interesting pamphlet on the part played by Sicilians in the winning of Garibaldi's remarkable victories in the Sicilian revolution of 1860 has been published by Salvatore Romano, *I Siciliani a Marsala, a Salemi e alla Battaglia di Calatafimi* (Palermo, Scuola Tip. "Boccone del Povero"). The writer is correct in his contention that there has been

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

some over-glorification of Garibaldi's Thousand at the expense of the auxiliary Sicilian revolutionists. A specialist's knowledge of modern Italian history is not necessary in order to appreciate the absurdity of the representations made by many historians to the effect that a thousand extraordinarily brave filibusterers, *without substantial aid from the native islanders*, were able to capture the capital of Sicily defended by a large Neapolitan standing army and fleet.

The Right Honourable Hugh Oakeley Arnold-Forster: a Memoir. By his Wife. (London and New York, Longmans, 1910, pp. xv, 376.) Between trying to write a political biography that should appeal to the public in behalf of the cause for which her husband worked, and running into the form of an intimate memoir, Mrs. Arnold-Forster has failed of the best success; but she has presented a good sketch of a new type of statesman—a type with which students of the last three decades of English history ought to be familiar.

Arnold-Forster was a journalist of some distinction when, after serving in Dublin as private secretary to his adoptive father, W. E. Forster, he gradually broke away from the Liberal ranks and became a Unionist. He found a seat in Parliament for one of the divisions of Belfast; but, too disinterested to be a successful party politician, he devoted his unusual talents to a study of the army and navy. Probably no civilian of his generation could speak more authoritatively on the problems involved in these two branches of the service. Always a close student of Continental models, he early abandoned, at some sacrifice of popularity, that illusion of Victorian complacency, the cricket-ground-of-Eton theory of England's fighting supremacy; and he became both in Parliament and in the press the apostle of technical efficiency. He wrote and spoke in vain until the South African War realized most of his fears, and gave point to much that he had advocated. As Secretary to the Admiralty, and then as Secretary for War in Balfour's government, he strove to approximate the British forces to the Continental model, and to bring about a co-ordination of the two branches of the service. His view of the empire was naturally conditioned by his interest in imperial defence, yet he constantly combatted the besetting jingoism of the British public.

Here and there in the narrative are items which might be used as historical material. A good sketch appears in one of the early chapters of a Parliamentary election in Belfast. As educational adviser to the publishing firm of Cassell and Company, Arnold-Forster helped to introduce German school publications into English schools; and we learn that the *London School Atlas* and the *Times Atlas* were both translations and adaptations from German originals. Beyond the question of army reform there is little that will contribute to the history of the Balfour ministry; and Mrs. Arnold-Forster is clearly ill at ease in discussing the Chamberlain tariff proposals. The influence of W. E. Forster in originating the imperialist movement of the seventies is undoubtedly exaggerated. The references to naval training and the conditions of naval service would be valuable for recent naval history. The most vivid piece of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

writing in the whole book is the description of the Kingston earthquake, Arnold-Forster happening to be in Jamaica at the time of the disaster.

C. E. FRYER.

Federations and Unions within the British Empire. By Hugh Edward Egerton, Beit Professor of Colonial History, Fellow of All Souls College, Oxford. (Oxford, Clarendon Press, 1911, pp. 302.) Professor Egerton's book consists of a series of documents exhibiting the forms of political union which now exist, or have existed, in different parts of the British Empire, together with an introduction giving a summary account of the unions, with one exception, which are now in force. The documents comprise the Articles of the New England Confederation of 1643, Penn's Plan of Union, Franklin's Albany proposals, the British North America Act of 1867, the report of the Privy Council, 1849, on a constitution for the Australian colonies, the Commonwealth of Australia Constitution Act of 1900, and the Union of South Africa Act of 1909. The constitution of New Zealand is omitted because, as Professor Egerton says, "the shadowy kind of federation adumbrated by the establishment of the six Provinces can hardly take rank among federal Governments, even during the short period of the existence of these Provinces"; and, further, because the constitution of New Zealand presents no striking departures from the constitutions of the other Australian colonies.

Professor Egerton's introduction, extending to a hundred pages, is in the main confined to a straightforward narrative of the events which led to the adoption of the several federations or federal unions in question, with the addition of such description or explanation of the statute-constitution as grows naturally out of an historical survey. Special students of federal government or of modern colonial development will find nothing novel in what Professor Egerton has to say; but the introduction itself is a useful addition to the scanty list of reliable brief accounts. In some brief concluding observations it is pointed out that the organic laws of Canada and Australia show no such popular distrust of both the executive and the legislature as appears in recent American state constitutions. On the other hand, the detailed specifications of the British North America Act, in contrast to the general phrases of the American Constitution, have brought some confusion into Canadian law. None of the existing unions was the product of necessity, nor do they, Professor Egerton thinks, necessarily presage a wider imperial union: the British Empire to-day consists of communities "with most of the attributes of distinct nations", and "the most keen-sighted of imperialists now recognize that what is necessary is a federation of nations, not of provinces".

WILLIAM MACDONALD.

Beiträge zur Charakteristik der Aelteren Geschichtsschreiber über Spanisch-Amerika. Von Frederich Weber. [Beiträge zur Kultur- und Universalgeschichte, XIV.] (Leipzig, R. Voigtländer, 1911, pp. xii, 338.)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Whether one examines this work for the sake of finding out what the German student can command in the way of material for the study of American history, or with a hope of learning what sort of ideas the German teachers of this generation are inculcating on that same subject, the American reader is likely to discover very little which would lead him to that corner of Europe for study or investigation. The book is a comprehensive, intelligent survey of the sources of information, as they may be gleaned from the older works of reference which are just beginning to be displaced in most American college libraries. The foot-notes disclose little of more importance than an Essen *Schulprogramm* among the half-dozen references that have been noted of later date than 1890, while most of the citations are earlier than Harrisse's *Bibliotheca Americana Vetustissima* and Winsor's *Narrative and Critical History*. The work as it stands might have been compiled just as well in 1880 as it has been in 1910. If it had been produced thirty years ago, it would have been a work of great skill which would without much question have had an important influence upon the study of Latin-American history. Most of the ideas which the author has derived from his examination of the bibliographies, supplemented by Humboldt and Baumgarten's introduction to Schröter, were not in 1880, as they are to-day, a part of the stock in trade of every professional reader of American history. Perhaps the chiefest advantage to be derived from an examination of Herr Weber's work is in the evidence which he furnishes that these "stock-in-trade" ideas are confirmed by a careful re-examination of the data out of which they have evolved.

This is not the sort of work which can fairly be taken to task for matters of bibliographical minutiae. Such incidental slips as the printing, in a German work, of "S. Eusuytle" for Sensuyt le; or the citing of the well-known *Libretto* of 1504 as "lost" because Harrisse bemoaned his inability to find a copy in 1866; or the ignoring of the important *Summario* of 1534 in a discussion of the services rendered by Ramusio toward the dissemination of geographical knowledge; or even the failure to mention the volume of *Voyages* published in 1589 in a paragraph devoted to Richard Hakluyt's work; or, to cite an illustration in still another line, the statement that valuable material is still to be found in the Mexican monastic libraries which ceased to exist during the time of Juarez; all these are significant chiefly as evidence that the German student does not have access to the later American works of reference. These are bits of special information that the graduate student at Chicago, Philadelphia, New Haven, or Baltimore might not recollect off-hand, but he would hardly be allowed to go to press without verifying his statements.

G. P. W.

Inventory of Unpublished Material for American Religious History in Protestant Church Archives and Other Repositories. By William Henry Allison, Professor of Ecclesiastical History, Colgate Theological

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Seminary. (Washington, Carnegie Institution, 1910, pp. vii, 254.) All students of American church history owe an immense debt of gratitude to the Carnegie Institution for the preparation and publication of this invaluable work which must stimulate as well as facilitate research. It is the first attempt to list the manuscript material for our religious history and must long have fundamental importance for investigators. Professor Allison's task was laborious and has been done with evident thoroughness and accuracy. How difficult the search may have been can be tested by one who even with this list in hand may not easily convince librarians of their possession of the documents.

The inquiry was accomplished by personal visits and the use of a questionary. It is clear that the listing is not uniformly specific. In some cases the archivist has not definitely indicated the contents of documents where it was possible enough. The "Theological Disquisition" of Jonathan Edwards in the Andover Theological Seminary might have been given a subject, and one searcher among records of councils regrets that we are not told the place of the council of 1738 of which that library has memoranda. It is doubtless because of the neglect of manuscript materials in libraries that some omissions will be found. The Unitarian Library at 25 Beacon Street, Boston, has many manuscript parish histories important for the story of the division of Congregationalism, but they do not appear in this inventory. The work fails to reveal the location of records of the various district associations of the Massachusetts Congregational churches. The records of the Boston Association are at the American Unitarian Association. A questionary sent to these district associations might reveal similar facts.

Dr. Allison deems that the usefulness of his work "may consist in part in indicating where historical material is not to be found", but this may be read with a caution. The possessions of the Massachusetts Historical Society are not listed, though they include such interesting material as the sermons of Ezra Stiles, 1749–1775, and a portion of his Ecclesiastical History of New England and British America. Fairfax Theological Seminary, Alexandria, Virginia, has a large number of record-books of Virginia parishes, but is not represented here.

While it is impossible to judge of the exact contents of much of the material here listed, it is probable that the documents deal more with ecclesiastical business and institutional growth than with doctrinal interests or with religious experiences. The reviewer has been sadly disappointed to discover few indications of the correspondence of eighteenth-century worthies who must have conferred over the dangers of an English episcopate and the invasions of heresy. It is to be hoped that the existence of this work may encourage individuals owning such unprinted materials to deposit them in public archives. Through the suggestion starting from this inventory the Meadville Theological Library recently received an interesting manuscript of the reminiscences of Rev. W. H. Fish, who had a part in the Hopedale Community and in the crusade against slavery.

FRANCIS A. CHRISTIE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Religion in New Netherland: a History of the Development of the Religious Conditions in the Province of New Netherland, 1623–1664. By Frederick J. Zwierlein, L.D., Professor of Church History at St. Bernard's Seminary, Rochester, New York. (Rochester, John P. Smith Printing Company, 1910, pp. vii, 365.) This is the first serious attempt at interpretation of the religious development of the province of New Netherland in the light of the results of modern research in the field of religious history of the mother country. After an introductory chapter on the religious conditions in the Dutch Republic, the author outlines the relations between Church and State in the colony and then proceeds to give a systematic account of the Dutch Reformed Church, the religious activities in New Sweden, the religious factors in the English immigration, the persecutions of the Lutherans, the Quakers, and the Jews, and the Indian missions in New Netherland. Though little new material is brought to light and a disproportionate amount of space seems to have been given to persecutions, not much fault is to be found with the general narrative of events, which is based on a painstaking analysis of printed sources and secondary works. Exception must be taken however to the first chapter, in which the author, in an effort to show that the policy of the colonial government to foster the Dutch Reformed religion and to repress all organized dissent was in line with the oppressive measures against Catholics and Arminians in the Dutch Republic, draws a picture of religious persecution which is hardly in accordance with the facts. Though based on such eminent authorities as Knuttel, De Schrevel, and Hubert, this chapter fails to take account of the contrary views expressed by Robert Fruin in his *De Wedcropluiking van het Katholicisme* and by Dr. L. Knappert in "De Verdraagzaamheid in de Republiek der Vereenigde Nederlanden" (*Tijdspiegel*, 1907), which show that many of the oppressive ordinances cited by the author were never executed, and that the testimony of contemporary foreigners and the steady influx of religious exiles furnish abundant proof that the religious conditions on the whole were far better than the author's presentation of the facts would lead one to suppose. As to the statements concerning the establishment of the Dutch Reformed Church and the situation of the Jews, the author published his work unfortunately just too soon to make use of the interesting data brought to light in Dr. Eekhof's biography of Krol, noticed in the January number of this REVIEW, and in Dr. M. Wolff's article on "De eerste Vestiging der Joden in Amsterdam", in *Bijdragen voor Vaderlandsche Geschiedenis* (1910), but valuable information for sidelight on the treatment of the Jews might have been gathered from the "Classicale Acta van Brazilië", printed in the *Kronijk van het Historisch Genootschap te Utrecht*, XXIX. 298–317, 322–419 (1873).

Narratives of Early Carolina, 1650–1708. Edited by Alexander S. Salley, Jr., Secretary of the Historical Commission of South Carolina. [Original Narratives of Early American History, edited by J. Franklin

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Jameson.] (New York, Charles Scribner's Sons, 1911, pp. xiii, 388.) This volume in interest and excellence is in keeping with the series of *Original Narratives*. I am unable to discover wherein the selections from the sources could be improved. Hardly an interrogation will arise in the mind of the reader that Mr. Salley has not anticipated in editing these early accounts of the Carolinas. Restraint, however, marks the entire volume, as the notes are clear, brief, and to the point. Historical sources are in general useful, but this book is also readable. It is not scrappy, but is made up of narratives having unity and in a measure completeness.

A map of Carolina from Richard Blome, 1672, and a plan of Charles Town by Edward Crisp, 1704, are reproduced with helpful comment by Dr. Jameson, the editor-in-chief of the series. The mechanical execution of the work is admirable, especially the large, bold print. This volume will at once enrich the popular knowledge of the early history of the Carolinas, lending vividness to the general reader's impressions and making available for the class-room the most valuable sources bearing on the settlement and development of these ancient commonwealths.

S. C. MITCHELL.

Diary of Cotton Mather, 1681–1708. [Massachusetts Historical Society Collections, seventh series, volume VII., edited by Worthington C. Ford.] (Boston, the Society, 1911, pp. xxviii, 604.) Cotton Mather's diaries, some of them possessed by the Massachusetts Historical Society, some of them by the American Antiquarian Society, and one by the Congregational Library, have long been spoken of in New England historical circles. The first volume (of two which they will occupy in print) has now been published. It is in several ways disappointing to those who may have expected it to prove an important historical source. It contains very little about public affairs, even about the events of 1689 or 1691, the public agency of Increase Mather, or the relations of father and son to Harvard College. It casts no real light on the *Magnalia* or on Salem witchcraft. But as material on Mather it has value, and Mather, slight as was his power of thought in comparison with his eagerness for prominence, was for a time an influential figure. The diary embodies self-revelation of an interesting sort. This is not of the unconscious variety. The manuscript was evidently written that it might be read and might prolong admiration for its author, whose morbid vanity breathes from every page, and not least from those passages intended to exhibit his abject humility before his God. Worthless worm though he might be for purposes of conventional rhetoric, he makes it plain to his readers that after all he was highly regarded by both God and Devil, and that no inconsiderable portion of the universe revolved around the minister of the Second Church in Boston. Though mainly a record of somewhat mechanical spiritual exercises, and confined to the psychological interest attaching to that class of literature, the book contains many passages that depict Boston society, the most engaging being those

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

concerning the attempts of an admiring young gentlewoman to capture Mather's affections by somewhat drastic methods and somewhat too soon after his first wife's death. Bibliographers will value the frequent data concerning the numberless publications which the busy doctor forced upon a patient little world. Mr. Ford's preface and notes are good, but are not written *con amore*. Elias Nean (pp. 238, 239, 300, 550) should be Elias Neau (*alias* Nau).

The *Calendar of State Papers, Colonial Series, America and West Indies, 1701*, edited by Mr. Cecil Headlam (Stationery Office, 1910, pp. lxiii, 818), is the fourteenth volume of the series. Every year's advance into this comparatively undocumented period of American history is a substantial gain. The volume is largely concerned with preparations for war and colonial defence, with Indian affairs, with piracy, and with political quarrels in the colonies. Mr. Headlam's editing seems excellent. At any rate he does not abuse his editorial position as his immediate predecessor was wont to do, by injecting into official introductions the evidences of petty personal prejudices.

Travels in the Confederation [*1783–1784*]. From the German of Johann David Schoepf. Translated and edited by Alfred J. Morrison. In two volumes. (Philadelphia, William J. Campbell, 1911, pp. x, 426; 344.) Doctor Schoepf was the chief surgeon of the Ansbach troops used by the British in America. In 1777, at the age of 25, he arrived at New York and remained in America until the end of the war. He served only in southern New England, New York, and Philadelphia, and was unwilling to return to Germany without having seen something more of this new country. Accordingly, in July, 1783, he started from New York, and went through New Jersey to Philadelphia. He then rode across Pennsylvania to Pittsburgh and on his return made a detour into the Shenandoah Valley and to Baltimore. In November and December he travelled through Virginia and North Carolina, and after two months in Charleston, he sailed to East Florida, and the Bahamas, and thence to England.

Schoepf's primary interest was in the physical characteristics and the natural resources of the country. He gives valuable contemporary information regarding these features, especially on the mines, and makes some interesting prophecies of probable future development. Local products, prices, and trade are frequently taken up. There is a formal description of the government of each of the states through which he passed, with an occasional independent observation that throws light on the political conditions. A keen observer, open-minded, and fair in his judgments, his comments upon the people along his entire route are full of interest and value. Such, for example, are his criticisms of his fellow-countrymen, the Germans, in eastern Pennsylvania, and his description of Hermann Husband, of North Carolina Regulator fame, who had fled to western Pennsylvania and who had developed into

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a religious fanatic, genuinely crazy on the subject of the prophet Ezekiel.

It is a regrettable fact that American students do not use German readily enough to read such a book as Schoepf's in the original, unless forced to do so. Otherwise this mine of information would not have been left so long undeveloped. Mr. Morrison has rendered a great service by the mere translation of this book of travels. That the translation is well done makes the service all the greater. It is only occasionally that the word chosen in translation or the sentence structure has been determined to its detriment by the German original.

As the author had made a good many foot-notes, the editor has wisely gathered his own notes together at the end of each volume. It is unfortunate that the references to them in the text are not designated by some other device than an unsightly "heavy cross bar". The notes themselves are of the kind that makes one regret that there are not more of them.

A short and unsatisfactory index of four pages is attached to each volume.

MAX FARRAND.

Parson Weems: a Biographical and Critical Study. By Lawrence C. Wroth. (Baltimore, The Eichelberger Book Company, 1911, pp. 104.) Mr. Wroth gives a sketch of the life of Parson Weems, and a very brief account of his writings. Satisfactory so far as it goes this volume does not use to advantage an opportunity for describing an interesting character. The material available for such a study is not so limited as the writer would have us believe, and the career of Weems offers a sufficient excuse for extending the scope of the study. The one contribution made by Mr. Wroth is the proof that Weems was ordained a priest in England; beyond that, and a few excerpts from a manuscript diary of William Duke, the material has been known. That a restlessness of disposition was the reason for Weems's vagabond tendencies, that his skilful use of dialogue, of course the product of his own brain, in his biographies is the source of his popularity, that his style was that of the preacher, and his language at times more than vulgar, are facts that need not be denied; but there was a human quality in the man, evoked by his surroundings and his misapplied studies, which could well have been enlarged upon. As a bibliographical study, too, the book is also disappointing. The *Life of Washington* did not come forth in a perfect form at its first printing, but grew under Weems's hand, some of its most distinctive features being added in late editions. The relations between Weems and Washington were of the slightest, and no more than existed between Weems and Franklin. Was not one of his first publications, which Mr. Wroth considers advanced in treatment and in object, a reprint of a similar work issued in Boston in 1726? In default of a more extended biography this sketch will be useful. It has an index.

W. C. F.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Timothy Flint, Pioneer, Missionary, Author, Editor, 1780–1840: the Story of his Life among the Pioneers and Frontiersmen in the Ohio and Mississippi Valley and in New England and the South. By John Ervin Kirkpatrick, Ph.D. (Cleveland, The Arthur H. Clark Company, 1911, pp. 331.) The modern historian, who lines up inventors, flat-boat men, and poets alongside the regulation jurists and congressmen, counts among the notable personal forces in the development of the West two literary men who set a stamp upon that community, Hall and Flint. Mr. Kirkpatrick's biography for the first time reveals to this generation the vigor and light of Timothy Flint's too brief existence. Like many other founders of the West, Flint was a New England boy, who carried education and godliness into dark places. Born in North Reading, taught at Phillips Andover, graduated at Harvard in 1800, for years a minister in Lunenburg, Massachusetts, he passed twenty-five years in the West and South.

This biography amply brings out the cosmopolitanism of this frontiersman; as home missionary, as traveller, as farmer, as school-teacher, as editor, as author, Flint always exhibits a vivacity, an interest in his kind, and a style which would have marked him anywhere. He was a contributor to periodicals almost before they were founded, and during the three years' career of the *Western Monthly Review* became the critic of his fellow writers. He was also a publisher and bookseller; he wrote novels; he translated from the French; he was a corresponding member of the Massachusetts Historical Society. Above all he was a recorder of conditions and standards which have long since passed away. Flint's *Recollections* is an indispensable book for an understanding of the crude, tumultuous, half-pagan, early West, which he gave his life to civilize and enlighten.

Considering that the Union army and the Galveston hurricane combined to destroy many of the written memorials of Flint's life, Mr. Kirkpatrick has made a searching and readable biography, provided with a careful list of Flint's writings so far as they can be traced, a biography of his subject, and an unusually well-organized index. The book not only sums up an eventful life; it is a delightful picture of the intellectual and moral conditions and growth of the West.

ALBERT BUSHNELL HART.

Biographical Sketches of the Graduates of Yale College, with Annals of the College History. Volume V., June, 1792–September, 1805. By Franklin Bowditch Dexter, Litt.D. (New York, Holt, 1911, pp. 815.) Of the plan of this volume little need be said, as it has been described in reviews of previous volumes of the series. First come the annals, occupying on the average about a page to each year, then a list of the graduates of that year, with indication of honorary degrees, and after that the biographical sketches of members of the class arranged in alphabetical order. In regard to the annals one is disposed to presume that blessed is the college whose annals are brief, and yet we get glimpses

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of controversies both theological and political. The sketches are not elaborate, but record, as a rule, the most essential facts. In length they are proportioned in a measure to the importance of the person, although they are not infrequently limited by the dearth of known facts. It is really noteworthy that so great a degree of definiteness has been possible. Characterizations are brief and judicious. Eulogy is employed but sparingly. After each sketch authorities are mentioned, and a bibliography of the graduate's writings is added. Although ministers are less numerous than lawyers (109 of the former, 182 of the latter) the ministers printed far more than the lawyers. It is a little surprising that out of 540 graduates commemorated in the volume only 40 became teachers. The sketches contain a good deal of genealogical fact concerning descendants as well as antecedents; but it appears to the reviewer that a little more definiteness might well have been employed at times in the mention of descendants, for example, when in the sketch of Lyman Beecher mention is made of a son who "graduated at Amherst in 1834, and proved to be the most brilliant and most distinguished of the family". Of course the Rev. Henry Ward Beecher is meant. The method appears, however, to have been used of purpose.

Recollections of Abraham Lincoln, 1847–1865. By Ward Hill Lamon. Edited by Dorothy Lamon Teillard. (Washington, the Editor, 1911, pp. xxxvi, 337.) Quite apart from any new material, a reprint of this readable little volume would have been welcome. Few men shared Lincoln's confidence more fully than Ward H. Lamon, and not even Lincoln's secretaries stood in a more intimate relation to their chief. If we are to believe that not Lamon but Chauncey Black wrote the much criticized life of Lincoln, then Lamon's authentic recollections become all the more valuable. Prompted by a filial regard for her father, the author has included a sketch of Colonel Lamon, and has appended to the book many personal letters to "show his standing during Lincoln's administration". Of these letters it must be said, that while they suggest vividly the atmosphere in which Lamon lived at Washington, they do not add appreciably to our knowledge of the President. The only Lincoln letter not found in the former edition is the well-known and often-printed letter to Mrs. Bixby. Several pages of anecdotes about Lincoln are added to the original edition, but they contribute little to the value of the book. If by Lincoln's own statement only about one-sixth of the stories credited to him were his own, what shall we say of those anecdotes which have a posthumous origin?

Three Years in the Confederate Horse Artillery. By George M. Neese. (New York and Washington, Neale Publishing Company, 1911, pp. 362.) The author is known to have been a good soldier and a very skilful gunner. He served in Chew's (Virginia) battery of horse artillery from December, 1861, until October, 1864, when he was taken prisoner and sent to Point Lookout, where he was confined until the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

close of the war. He participated with the battery in Jackson's Shenandoah Valley campaigns, in the battles of Crampton's Gap and Brandy Station, in the cavalry fighting that followed Gettysburg, in the Wilderness campaign, and in several minor engagements.

Chew's battery made for itself a distinguished record in four years of hard fighting. It took its name from R. Preston Chew, who was its commander for the greater part of the war. Chew was a mere boy fresh from the Virginia Military Institute when he was made captain in 1861, yet he became one of the ablest of the younger officers in the Confederate service and ended his military career as lieutenant-colonel and chief of artillery of the cavalry corps of the Army of Northern Virginia, in succession to Pelham and Beckham.

The book purports to be a war-time diary, but it is evident that the original notes have been greatly embellished. The style is florid and the book is marred by literary flights and by the difficulty presented to the reader in distinguishing between the original diary and what has been added in later years. But there are good descriptions of the battles of Port Republic and Brandy Station, of the engagements at Poolesville and Moorefield, and of the two great cavalry reviews held by Gen. J. E. B. Stuart near Brandy Station in June, 1863; and the accounts of the author's successful marksmanship are interesting. The book is doubtless of but slight historical value, but readers with a fondness for military matters will find it entertaining and perhaps enlightening.

History of Taxation in Iowa. By John E. Brindley, Assistant Professor of Political Economy at the Iowa State College of Agriculture and Mechanic Arts. In two volumes. [Iowa Economic History Series, edited by Benjamin F. Shambaugh.] (Iowa City, State Historical Society, 1911, pp. xvii, 493; ix, 476.) Only last spring the Iowa legislature authorized the appointment of a tax commission to report upon measures of reform in the laws of the state pertaining to taxation. The causes for this action were in part general (causes operative throughout the country), but in no small part they were special. Iowa for some years (since 1900) has had a tax ferret law, and for some years Iowa has been losing in population. That the law in question has contributed to this loss is not to be averred; but the fact of such loss is supplemented by the further fact that the rate of interest on farm mortgage loans has advanced; and the two facts combined have put the farmers much upon inquiry.

In the work of the Iowa Tax Commission, Professor Brindley's book (a discussion of Iowa taxation in the light of its history) should be of the greatest service. It is comprehensive in scope, scientific in method, thorough in research, and lucid in statement. Part I. treats of the general property tax, emphasizing the point that the clue to better conditions lies in improved administration. Part II. discusses special problems in taxation: the taxation of banks, of insurance companies, of express companies, of telegraph and telephone companies; the inheritance tax; poll

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and license taxes; tax exemptions; tax limitations; taxation of moneys and credits; the tax ferret system. Part III. treats of the taxation of railways. For existing tax evils in general, Professor Brindley's remedy (so far as he discovers one) is state control of local assessments. The total exemption of personal property from taxation is deemed premature until substitutes are found in business or rental taxes and in a uniform tax of three or four mills upon intangible property. The taxation of railways, Professor Brindley thinks, should be upon an *ad valorem* assessment by the state with a proper apportionment of values between state and localities.

I. B. R.

Index and Dictionary of Canadian History. Edited by Lawrence J. Burpee, F.R.G.S., Librarian of the Carnegie Library, Ottawa, and Arthur G. Doughty, C.M.G., Litt.D., Dominion Archivist, Ottawa. [The Makers of Canada, vol. XXI.] (Toronto, Morang and Company, 1911, pp. xii, 446.) This appendix volume to the *Makers of Canada* series is at the outset furnished with an illustrated chronological chart, a concise introduction containing some valuable hints on bibliography, and a good scheme of abbreviations. The book proper falls naturally into three divisions. The main part, consisting of the index and dictionary, fills 417 pages, and is arranged alphabetically. Each item of importance usually begins with a short history of the topic, followed by an index to the places where it is mentioned in the series, and closes with a few bibliographical references. These items range in bulk from two pages for such men as Lord Dorchester or Robert Baldwin to merely a line for subjects of trifling importance. Too much reliance seems to have been placed on the individual indexes to the different volumes, and as these are sometimes faulty the final result is not always as complete as could be wished. As examples one may turn to "Civil List", where at least one important reference is overlooked in the life of Papineau, page 77, or to "Immigration", which entirely omits any mention of this subject under the French régime, although important details are given in Le Sueur's life of Frontenac, pages 56–57, 148. The bibliographical references are usually satisfactory, occasionally a superseded book or article appearing in place of the standard work.

The second division, which includes pages 419–433, is devoted to manuscript sources for further study, which may be found at the Dominion Archives, Ottawa. This furnishes material on twenty-six persons, arranged in twenty-one sections, with an additional—and curiously inadequate—section on American Colonies. While this part, which is virtually an appendix, is not a complete guide to manuscript sources at Ottawa, and indeed does not pretend to be, yet it can well serve as a basis for exhaustive researches, and is a valuable adjunct. An eccentric feature is the use of the term "Serie" to denote a single collection of manuscripts, while "Series" is reserved for the plural.

The remainder of the book contains a partial list of rare maps and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

plans relating to Canada, taken from the 7,000 maps at the Dominion Archives.

In spite of occasional omissions and inaccuracies this volume is one of the best of the series. Both the index and the introduction contain valuable bibliographical notes, and the former has, in the words of the editors, "a great deal of additional information, bearing on the subject-matter of these volumes, but which from its very nature it was impossible to incorporate in the text". Thus the main portion forms in some degree a dictionary of Canadian history, limited on the one hand by *lacunae* in the volumes to which it is a guide and augmented on the other by numerous useful details taken from a wide range of printed books and manuscript sources.

Review of Historical Publications relating to Canada. Edited by George M. Wrong, M.A., and H. H. Langton. Volume XV. *Publications of the Year 1910.* (Toronto, University Press, 1911, pp. xi, 220.) The "constant reader" of these excellent annual volumes must be impressed with the evenness of execution maintained for fifteen years in such a series of reviews of books and articles, and with the comprehensiveness of the survey. In the section on Canada's relations to the Empire, he can hardly fail to be struck with the great increase in fifteen years in the definiteness with which Canadian writers see and express those imperial relations, with the clarifying, in short, of national self-consciousness. It may be valuable, in these pages, to mention certain books of importance which this journal has unfortunately failed to notice heretofore: in the general section, Mr. James H. Stark's *The Loyalists of Massachusetts, and the Other Side of the American Revolution* (Boston, J. H. Stark), and Sir Wilfred Laurier's *Discours à l'Étranger et au Canada*; in the section devoted to provincial history, Mr. A. L. Haydon's *The Riders of the Plains: a Record of the Royal North-West Mounted Police of Canada*; and in the ecclesiastical section, Father A. G. Morice's *History of the Catholic Church in Western Canada.* The economic and ethnological sections are, as usual, ample.

TEXT-BOOKS

The New Europe, 1789–1889, with Short Notes, Bibliographies, Biographies, Diagrams, and Maps, by Reginald W. Jeffery, M.A. (Boston and New York, Houghton Mifflin Company, 1911, pp. xv, 401.) This is a brief handy outline, by an Englishman, of the political, or rather of the diplomatic and military, history of Europe between the dates indicated in the title. Many facts are tightly packed within a brief compass. But for use as a text-book an amount of space which seems excessive is devoted to military events. For instance, only thirty-seven pages—unsympathetic pages—are given to the non-military history of the whole French Revolution from 1789 to 1799, and nearly three times that number to the military events of the Revolutionary and Napoleonic era. No

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

account at all is given of Napoleon's Concordat, of his reorganization of local government, education, and finance, or of his public works. Similarly, there are twelve pages of text and chronological outline on the battles of the Franco-Prussian War, but no description at all of the constitution or working of the French and German governments which followed that war. Military history is indeed a good subject for boys to study, and it can be made very instructive and interesting if the tactics of a few important battles or the strategy of one or two campaigns is described in some detail. But military history which consists chiefly of the bare mention of a great many names of battles and generals, as is largely the case in this volume, can scarcely be found by a pupil either interesting to read or easy to remember. In a history of "The New Age" one would expect to find some discussion of republican ideas, party government, colonial expansion, the Industrial Revolution and its consequences, and the attitude and activity of the Roman Church. But of these things there is almost nothing.

Mr. Jeffery has inserted several diagrams, which as he modestly says in his preface, "have proved useful in the past to many of my pupils purely as an aid to visual memory. They are in no sense anything more than reminders of the subject of the previous chapter." The diagrams are ingenious and may no doubt be very helpful in the hands of a careful teacher. But there is always the danger that the pupil will tend to commit to memory the visual image without really understanding the subject. There is also the danger that such formal aids will say too much or too little. For instance, in the diagram of "The Results of the Battle of Trafalgar" it is too much to include among the results of the battle events which happened before the battle took place, such as Napoleon's abandonment of the camp at Boulogne and the capitulation at Ulm. There are good maps, but the genealogical tables would have been more useful if they had been extended in every instance to include the sovereigns of to-day. Unfortunately there are several inaccurate statements in the text, and the proof-reading, especially of the proper names, has not been careful—Prokersch-Osben for Prokesch-Osten (p. 214), Hertzeberg and Hertzburg for Hertzberg (pp. 42, 154), and more than a score of other similar misprints.

SIDNEY B. FAY.

COMMUNICATIONS

ITHACA, August 7, 1911.

The Managing Editor:

Dear Sir:

May I ask the readers of my Luther Fragment in the July REVIEW to correct the *u* of *componendum* (in line 3) to an *a*? The photographic facsimile shows me that what I had taken for a *u*-hook is only a fleck in the paper above an open *a*, and the word therefore not a gerund, but the more usual gerundive. I was about to ask also that after *praerigoro-*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sum (lines 5, 6) there be inserted a query, like that after *aliter* (line 15) and that scholars help me to better readings for both; but there reach me from an eminent student of the Reformation, Dr. Georg Buchwald, both the corrections wanted. *Praeri[gor]osum* should read *prae[cordi]orum,* and *aliter* should be *etiam.*

Very truly yours,
GEORGE L. BURR.

1, rue du Rabot,
DIJON, France, le 2 Août 1911.

Monsieur le Directeur:

Je vous prie de vouloir bien insérer, dans *The American Historical Review,* la note rectificative suivante, au sujet d'un article publié par elle sur le *Concordat de 1516,* dont je suis l'auteur (pp. 805–806, Juli 1911).

1. Cet article, signé J. W. T., prétend que je n'ai rien ajouté d'important à ce qui était connu des négociations diplomatiques du Concordat de 1516. Or, j'ai publié (1) le texte des articles adoptés à Bologne, qui était encore inédit; (2) les instructions données à Roger Barme pour mettre le traité sur pied, et qui étaient également inédites; (3) les instructions envoyées au nonce en France à ce sujet et aussi inconnues jusqu'ici dans leur teneur originale—trois sortes de documents d'un haut intérêt.

2. On affirme que je regrette que l'Église de France soit devenue concordataire. Non, je ne regrette pas cela. Ce que je regrette c'est qu'on ait mal appliqué le concordat, parce que le mauvais usage, qui en a été fait, ne lui a pas permis de porter tous ses fruits.

3. On m'accuse d'avoir mal défini l'attitude des États d'Orléans, en ne recourant pas aux ouvrages du chancelier de l'Hospital. Mais ces ouvrages sont sujets à caution; j'ai reproduit les discours du chancelier d'après les procès-verbaux. On me reproche, à ce sujet, de ne m'être pas servi dans mon ouvrage de la collection des lois d'Isambert. Ma réponse est que m'en suis servi à ce sujet, comme dans tout mon travail. Je les ai citées plus de quarante fois et souvent analysées. Il est surprenant que l'on n'ait pas vu cela.

4. On prétend que j'ignore complètement la littérature moderne (dans ses rapports avec mon sujet, sans doute). Celui qui a formulé cette assertion n'a donc pas reconnu les nombreux écrivains que j'ai cités sur les points les plus délicats de mon travail, et dont les ouvrages, au nombre de plus de trente, ont été publiés depuis peu. Qu'il me soit permis de redire ici leurs noms justement honorés parmi nous: MM. Lavisse et ses collaborateurs, M. Louis Madelin, M. Pastor, M. O. Martin, M. Imbart de la Tour, M. Noël Valois et tant d'autres indiqués soit en note, soit dans la Bibliographie de mon ouvrage.

On cherche enfin, ce semble, à déprécier mon travail en l'accusant à diverses reprises de reproduire les théories du moyen-âge sur la constitution de l'Église, sans prendre garde que l'on fait une double erreur. D'abord, les idées que j'ai exposées à ce sujet sont antérieurs au moyen-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

âge; ensuite, ces idées, si le moyen-âge les a professées, lui ont survécu, et elles sont encore enseignées aujourd'hui dans les écoles catholiques.

Veuillez agréer, Monsieur le Directeur, l'expression de mes sentiments très distingués.

J. THOMAS.

HANOVER, N. H., August 31, 1911.

The Managing Editor:

Dear Sir:

The Abbé Thomas's letter of exception to my review finds me in the vacation season, without access to my notes upon his work, or the work itself, and I have only the actual review, supplemented by memory, upon which to frame a reply.

The abbé's complaint resolves itself into two parts: one of opinion, the other of fact. To his first exception I would say that the three documents alluded to may be "d'un haut intérêt", but at the time the review was written they did not seem to me to be of the supreme historical importance which the author attaches to them. The words of the review, "much of the detail is new", were meant to describe accurately their nature, and I think do so. As to item 3: it is true that the author reproduces the discourse of the Chancellor L'Hôpital after the procès-verbaux of the States General. But is a critical historical writer to avoid the use of the chancellor's other writings because they are "sujets à caution"? The function of scientific historical scholarship is to be critical in spirit and method. I am constrained to the belief (which I refrained from expressing in the review) that L'Hôpital contains too much for the abbé's purpose. The same objection, in less degree, applies to his use of Isambert. When the crown policy was pro-Huguenot, as in 1560, and again at Moulins, the legislation often has a tenor which the reader would not always discover from the analysis of it. One gets the impression that the author's commentary is sometimes based on the interpretation of preceding Catholic writers, and not upon careful weighing of the actual source, and that citation to Isambert is merely *pro forma*. The statement, that the "modern literature [has been] entirely ignored", I believe will stand the test of any candid reader who has studied the literature of the period. It was not intended to imply that the learned abbé was ignorant of the works of MM. Lavisse, Madelin, Pastor, Imbart de la Tour, Noël Valois, etc. But what has he profited by them? He *has* ignored them, in the (English) sense of refusing to accept the findings of modern historical scholarship in regard to the history of the French Reformation in any large degree.

Finally, the paragraph numbered 2 in the abbé's letter, and the concluding one, it seems to me, lie outside the province of reply because they deal with things that are rather matters of opinion than of fact.

Very truly yours,

J. W. T.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NOTES AND NEWS

AMERICAN HISTORICAL ASSOCIATION

Volume II. of the *Annual Report* for 1908, finishing the Diplomatic Correspondence of the Republic of Texas, edited by the late Professor George P. Garrison, has now been issued to members. From motives of requisite economy, the practice has been adopted of requesting members to make a positive reply as to their desire to receive the Association's bulky annual reports before the volumes are sent out. Members however who have neglected to reply to the first notifications may obtain the volumes by subsequent request. The *Annual Report* for 1909, one volume, is nearly ready for distribution. The long extra session of Congress has delayed composition upon volume I. of the *Annual Report* for 1910.

Beginning with the *Annual Report* for 1909, as previously mentioned, Miss Grace G. Griffin's annual bibliography entitled *Writings on American History*, heretofore separately published, will hereafter be incorporated in the annual reports of the Association. But libraries and individuals desiring to obtain this bibliography in separate copies will still be able to do so by applying to the secretary of the Association, Mr. Waldo G. Leland, 500 Bond Building, Washington, D. C.

PERSONAL

We regret to learn of the approaching retirement of Father Franz Ehrle, S. J., the distinguished prefect of the Vatican Library. It is understood that he will be succeeded by Mgr. Achille Ratti, prefect of the Ambrosian Library at Milan.

M. Charles Diehl, professor of Byzantine history at the University of Paris, is to occupy by exchange the position of a professor of history at Harvard University during the first half of the present academic year, giving courses in Byzantine history and on France in the Orient in the Middle Ages.

Dr. Arthur I. Andrews of Simmons College has become associate professor of history in Tufts College.

Dr. David S. Muzzey has been appointed as "associate" (lecturer) in the historical department of Columbia University (Barnard College).

Dr. James C. Ballagh has been advanced from the grade of associate professor to that of professor of American history in the Johns Hopkins University.

Dr. Albert H. Lybyer has been promoted to a full professorship of medieval and modern European history in Oberlin College.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Dr. E. Tuthill has been promoted to the professorship of history in the University of Kentucky, Lexington.

Dr. Winfred T. Root has been appointed to an assistant professorship of history in the University of Wisconsin.

Professor E. C. Barker has been promoted from an adjunct professorship to be associate professor of American history and chairman of the department of history at the University of Texas. Dr. Frederick Duncalf has returned to the University of Texas from his chair at Bowdoin College.

GENERAL

Hachette of Paris announces a *Nouvelle Histoire Universelle* in ten small volumes by eminent writers (not named). The volumes (illustrated) will be devoted separately to the Orient, Greece, Rome, Germany, America, England, Spain, Italy, France, and Russia.

The bibliographical reviews in the *Revue Historique* for July–August continue the lists for German medieval history, 1907–1909, by F. Vigener, for Italian history, fifteenth to eighteenth century, by L. G. Pélissier, for modern French history, by Henri Hauser, and for Belgian national history, 1908–1910, by Eugène Hubert. There should also be mentioned the short critique by I. Kont of publications in 1910 on Hungarian history.

In the *Cambridge Historical Series* several new volumes are announced: on the Levant, 1815–1900, by Mr. D. S. Hogarth; on the Netherlands since 1477, by Rev. George Edmundson; on Switzerland since 1499, by Rev. W. A. B. Coolidge; on Germany and the Empire, 1493–1792, by Professor A. F. Pollard; on modern Germany, 1815–1889 (two vols.), by Mr. J. W. Headlam; on modern France, 1815–1900 (two vols.), by Mr. W. A. J. Archbold; and on British India, 1603–1838, by Mr. G. W. Forrest.

For new "series" of small books offering "useful knowledge" by competent authorities on the most diverse subjects there seems to be a steady popular demand, even though the publishers' claims of educational importance for such series may be subject to discount. The latest of such is the *Home University Library* (New York, Holt). Of the books thus far brought out in the series several are historical. Mr. Hilaire Belloc on *The French Revolution* is of course interesting, and devotes himself chiefly to expounding the underlying theory, the military movements, and the dealings with the Church to which he belongs. Mrs. J. R. Green's *The Irish Nationality* has the eloquence, the warmth, and the exaggeration her larger book would lead us to expect; no nation can ever have been so gifted as the Irish or so systematically wicked as the English are shown in this brilliant diatribe to have been. On the other hand, Sir Courtenay Ilbert's *Parliament, its History, Constitution, and Practice* is a model of sane statement as well as of careful construction and authoritative knowledge. Mr. J. Ramsay Mac-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

donald, chairman of the British Labor Party, writes on *The Socialist Movement*. Some of the other books may call for separate notice.

Messrs. Henry Holt and Company have published an *Historical Atlas*, prepared by Professor W. R. Shepherd of Columbia University.

Professor Lewis H. Haney of the University of Texas has brought out through Macmillan a *History of Economic Thought: a Critical Account of the Origin and Development of the Economic Theories of the Leading Thinkers of the Leading Nations.*

Dr. H. J. Nieboer's *Slavery as an Industrial System*, since its appearance in 1900 the most scientific study of the economic causes and relations of slavery among savage and barbarous nations, has been issued in a new, somewhat revised edition (Hague, Nijhoff, 1910, pp. xx, 474).

A new journal, *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung* (Leipzig, Hirschfeld) made its first appearance in November, 1910. Three numbers will be published each year. The *Archiv* is edited by Dr. Carl Grünberg, professor of political economy in the University of Vienna.

Mr. Raymond G. Gettell's *Readings in Political Science* (Boston, Ginn, pp. xli, 528) consists of 504 extracts, obviously very short, from excellent or reputable authors. Those which are historical are mostly good, but such bits do not carry one far.

Dr. F. Foy has assumed the editorship of a *Kulturgeschichtliche Bibliothek* to be published by C. Winter, Heidelberg, and the first volume has appeared (F. Gräbner, *Methode der Ethnologie*). The collection will have three sections—Ethnologische Bibliothek, Bibliothek der Europäischen Kulturgeschichte, Allgemeinere Werke.

Lieferungen 56–57 of *Die Religion in Geschichte und Gegenwart* contain a notable study by Professor K. Wenck on the College of Cardinals, with particular reference to the later Middle Ages.

Quelle and Meyer, Leipzig, have added to their collection *Wissenschaft und Bildung* (edited by Dr. Paul Heere) a brief but comprehensive study of *Das Märchen* by Friedrich von der Leyen (1911, pp. 154). The author aims especially to make more generally recognized the importance of the fairy tale and thus to forward research concerning it. Most of the volume is occupied with the consideration of the general conditions of the fairy tale and its place in literary and cultural history; this is followed by more special discussions of the Indian, Arabian, and Teutonic species.

Noteworthy articles in periodicals: Moritz Ritter, *Studien über die Entwickelung der Geschichtswissenschaft* (Historische Zeitschrift, CVII. 3); Leo Wiener, *Economic History and Philology* (Quarterly Journal of Economics, February); P. Barth, *Geschichte der Erziehung in soziologischer Beleuchtung* (Vierteljahrschrift für wissenschaftliche Philosophie, XV. 1); Edward Clodd, *Primitive Man on his own*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Origin (Quarterly Review, July); J. H. Robinson, *The Spirit of Conservatism in the Light of History* (Journal of Philosophy, Psychology, and Scientific Method, May).

ANCIENT HISTORY

Messrs. Putnam announce *Aspects of Religious Belief and Practice in Babylonia and Assyria*, by Professor Morris Jastrow.

Dr. Carl Klotsch's *Epirotische Geschichte bis zum Jahre 280 v. Chr.* (Berlin, Weidmann, 1911, pp. viii, 240) is a contribution of distinct value, both scholarly and well-written.

An important work on Thucydides is Dr. G. B. Grundy's *Thucydides and the History of his Age* (London, John Murray, 1911, pp. xix, 553), in which the life of Thucydides, the text and composition of his work, the economic background of Greek history, the policy of Sparta, and the art of war and military policy of Thucydides's time are fully discussed.

In the *University of Michigan Studies*, Humanistic Series, III. 213–286 (1910), Professor H. H. Armstrong discusses "Autobiographic Elements in Latin Inscriptions", chiefly the sepulchral.

Dr. E. G. Hardy has translated, and supplied with learned introductions and notes, *Six Roman Laws* (Oxford, Clarendon Press) of the later Roman republic, namely, the Lex Acilia Repetundarum, Lex Agraria, Lex Antonia de Termessibus Maioribus, Lex Municipii Tarentini, Lex Rubria de Gallia Cisalpina, and Lex Julia Municipalis.

The *Bibliothèque des Écoles Françaises d'Athènes et de Rome* (Paris, Fontemoing) has just added a volume by Professor Pierre Jouguet of the University of Lille entitled *La Vie Municipale dans l'Égypte Romaine*.

There is perhaps no better treatment of its theme available in English than *Roman Stoicism*, lectures on the history of Stoic philosophy in the Roman Empire, by Professor E. Vernon Arnold of the University of North Wales (Cambridge University Press, 1911, pp. xii, 468).

Guglielmo Ferrero's *Century* articles on the Women of the Caesars are to be published, with some remaking, in book form by the Century Company.

Noteworthy articles in periodicals: R. v. Lichtenberg, *Einflüsse der Aegäischen Kultur auf Ägypten und Palästina* (Mittheilungen der Vorderasiatischen Gesellschaft, 1911, 2); H. H. Armstrong, *Privernum*, II. *The Roman City* (American Journal of Archaeology, April–June).

EARLY CHURCH HISTORY

The *Revue des Questions Historiques* for July contains a very useful and comprehensive critical review by Dom Fernand Cabrol under the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

title "Chronique d'Archéologie Chrétienne et de Liturgie" (pp. 158–189). It includes articles as well as books, and is particularly full for publications in English.

An English translation of Professor Hartmann Grisar's *History of Rome and the Popes during the Middle Ages* is to be published by Messrs. Kegan Paul in London, and in St. Louis by B. Herder. The first volume has already appeared.

Noteworthy articles in periodicals: W. M. Ramsay, *Historical Commentaries on the Epistles to Timothy* (The Expositor, March, 1911); P. Manceaux, *La Question de Priscillianisme* (Journal des Savants, 1911, 2–3).

MEDIEVAL HISTORY

The diplomatic of the private document, as distinguished from that of papal bulls and imperial and royal charters, is now systematically covered by Professor Oswald Redlich of Vienna in *Urkundenlehre,* III. Teil; *Die Privaturkunden des Mittelalters,* a section of Below and Meinecke's *Handbuch.* Erben's volume on imperial and royal documents has already appeared; Schmitz-Kallenberg's on the papal is announced for this autumn.

M. J. Delaville le Roulx has collected in a volume entitled *Mélanges sur l'Ordre de S. Jean de Jérusalem* (Paris, Picard, 1910), some eighteen dissertations published by him during the last thirty years, and supplementing in a valuable manner his greater works on the Hospitallers.

An organ of the Roman curia little studied hitherto is examined carefully, as to its origins at least, in M. Léonce Celier's *Les Dataires du XV^e^ Siècle et les Origines de la Daterie Apostolique* (Paris, Fontemoing, 1910, pp. 173), a publication of the French Schools of Athens and Rome.

Noteworthy articles in periodicals: Paul Allard, *Les Origines du Servage,* III. (Revue des Questions Historiques, July); Siegmund Hellman, *Studien zur Mittelalterlichen Geschichtschreibung,* I. *Gregor von Tours* (Historische Zeitschrift, CVII. 1); Henri Prentout. *Littus Saxonicum, Saxones Bajocassini, Otlinga Saxonia* (Revue Historique, July–August); P. Fournier, *Le Décret de Burchard de Worms: Ses Caractères, son Influence,* I. (Revue d'Histoire Ecclésiastique, July); Emil Dürr, *Galeazzo Maria Sforza und seine Stellung zu den Burgunderkriegen* (Basler Zeitschrift für Geschichte und Altertumskunde, X. 2); H. X. Arquillière, *L'Origine des Théories Conciliaires* (Comptes-rendus de l'Académie des Sciences Morales et Politiques, May).

MODERN EUROPEAN HISTORY

Whoever hereafter studies European diplomacy in any aspect involving the papacy, in the period from 1500 to 1648, must by all means possess a volume compiled by Mr. H. Biaudet, *Les Nonciatures Apos-*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

toliques Permanentes jusqu'en 1648, a publication of the Finnish Academy of Sciences (*Annales*, II. 1, Helsingfors, 1910, pp. x, 329), containing carefully prepared lists of nuncios, with full names and identifications, for all Europe, together with an historical introduction on the office, and full indexes.

Messrs. G. van Oest and Company, of Brussels, have just published a curious and interesting "study in iconographic anthropology" by Dr. Osw. Rubbrecht, *L'Origine du Type Familiale de la Maison de Habsbourg* (pp. 160, 82 plates), based on a long study of portraits, and illustrated by reproductions of the best of them.

Professor Alfred Gudeman has published a supplement to his *Grundriss der Geschichte der klassichen Philologie* in the form of a collection of portraits, *Imagines Philologorum: 160 Bildnisse aus der Zeit von der Renaissance bis zur Gegenwart* (Leipzig, B. G. Teubner, 1911, pp. viii, 40).

Archives du Musée Teyler, serie II., vol. II., deuxième partie (Haarlem, 1911), contains (pp. 79–296) correspondence of Robert Dudley, earl of Leicester, and of François and Jean Hotman, edited by Professor P. J. Blok. In the Leicester correspondence (1582–1588) there are 66 letters, mainly to Leicester: among the correspondents are William, prince of Orange, Henry II. of France, and Henry of Navarre. The letters to François Hotman (37 in number) date from 1580 to 1589: those (numbering 27) to Jean Hotman, who was secretary to Leicester, begin in 1586 and extend to 1609. This entire group of hitherto unpublished correspondence is of unusual value for the diplomatic and political history of the period.

Messrs. Ch. De Lannoy and H. Vander Linden have published the second volume of their *Histoire de l'Expansion Coloniale des Peuples Européens*, bearing the subtitle *Néerlande et Danemark, XVII^e et XVIII^e Siècles* (Brussels, H. Lamertin, 1911, pp. 487).

MM. Plon-Nourrit have published a *Table Alphabétique des Noms Propres* for Sorel's *L'Europe et la Révolution Française*, the work being prepared by M. Albert Émile Sorel.

There is announced by the military publishing house of Henri Charles Lavanzelle, Paris, a new volume on Waterloo, accompanied by new documents.

The history of the Russian-Japanese war that is being published by the Russian General Staff is being issued rapidly in a German translation (Berlin, Mittler und Sohn), several volumes having appeared in 1910. The translator is Lieut.-Colonel von Tettau and the edition will be complete in five volumes in lieu of the nine of the original, a large portion being omitted as of little interest outside Russia. Lieut.-Colonel von Tettau is the author of a highly-praised work entitled

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Achtzehn Monate mit Russlands Heeren in der Mandchurei; he commends strongly the objectivity of the staff history of the war.

F. Alcan, Paris, has published in the *Bibliothèque d'Histoire Contemporaine* a third enlarged and revised edition of A. Tardieu's *La Conférence d'Algésiras: Histoire Diplomatique de la Crise Marocaine*. The additions are mainly in an appendix entitled, "Le Maroc après la Conférence, 1906–1909".

Noteworthy articles in periodicals: P. Kalkoff, *Zu Luthers Römischem Prozess* (Zeitschrift für Kirchengeschichte, XXXII. 2); J. Rauscher, *Der Halleysche Komet im Jahre 1531 und die Reformatoren* (Zeitschrift für Kirchengeschichte, XXXII. 2); *The Battle of Fontenoy* (Edinburgh Review, July); François Rousseau, *L'Ambassade du Marquis de Talaru en Espagne* (Revue des Questions Historiques, July); A. Stern, *Zur Geschichte der Mission des Baron von Werner nach Berlin im September 1845* (Historische Zeitschrift, CVII. 3).

GREAT BRITAIN AND IRELAND

Professor George Henderson's first course of Glasgow lectures on folk-psychology has been published under the title *Survivals of Belief among the Celts* (Glasgow, 1911, pp. 364); the examples of pagan survival into Christian times are taken chiefly from Scotland.

The Cambridge University Press has issued in three volumes (pp. 498, 496, 568) *The Collected Papers of Frederic William Maitland*, on the importance of which it is needless to enlarge. Nearly all Maitland's scattered writings save his Selden Society prefaces are included; nearly all lie in the field of legal and social history.

In the *Victoria History of the Counties of England* the latest issues are volume IV. of Hampshire and the Isle of Wight and volume IV. of Lancashire.

In *A History of Architecture in London* (London, Batsford) Mr. Walter H. Godfrey accompanies all his historical chapters with citation and drawings of examples in London still in existence.

Grotesque and trivial as serjeanties may appear in the daylight of the twentieth century, no one will question the difficulties presented by their history, the light it may throw on legal and constitutional matters in the remote past, nor the unique fitness of Mr. J. Horace Round to deal with it. This he has done in *The King's Serjeants and Officers of State, with their Coronation Services* (London, Nisbet and Company, 1911, pp. xviii, 416).

Mr. Francis A. Hibbert, headmaster of Denstone, has published a careful and well-documented monograph on *The Dissolution of the Monasteries in Staffordshire*.

The Oxford University Press announces the publication of *Anglo-Dutch Rivalry, 1600–1653*, by Rev. George Edmundson, and of volume IV. of Professor C. W. C. Oman's *History of the Peninsular War*.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Transactions of the Baptist Historical Society, vol. II., no. 3, contains an article by Mr. Champlin Burrage on "Chamberlen's First Day Church", presenting contemporary records of an early Separatist church, organized in 1653–1654; also an article on the Fifth Monarchy Movement, by Mr. Farree.

Messrs. Constable and Company have just published *Municipal Origins*, by Mr. F. H. Spencer, which proceeds from the London School of Economics and is occupied with the private bill legislation of the eighteenth and early nineteenth centuries, so far as it related to local governing bodies.

British Statesmen of the Great War, 1793–1814 (the Ford Lectures for 1911), by Hon. J. W. Fortescue, has been published by the Oxford University Press.

M. Jacques Bardoux has added to his studies of Queen Victoria a volume entitled *Victoria I., Édouard VII., Georges V.*, in which he aims to expound the personal element in nineteenth-century English monarchical government and to trace its evolution. The book will be a valuable supplement to the more formal constitutional treatises.

The Life and Letters of Sir John Hall (Longmans), by S. M. Mitra, for which Rear-Admiral Sir R. Massie Blomfield has written an introduction, purports to be the first authoritative history of the medical department of the British army in the Crimea. Sir John Hall was the principal medical officer of the army.

British government publications: *Report on the Manuscripts of Lord Polwarth*, I. [1716–1725, Historical Manuscripts Commission].

Other documentary publications: *Registers of Bishops Baldock, Segrave, Newport, and Gravesend of London*, II., *Grosseteste of Lincoln*, I., II., *Trillek of Hereford*, I. (Canterbury and York Society); *Records of Inverness*, vol. I., *Burgh Court Books*, 1556–1586, ed. William Mackay and Herbert Cameron Boyd (Aberdeen, New Spalding Club); *Diary of Sir Archibald Johnston of Wariston*, 1632–1639, ed. Dr. George M. Paul (Scottish Historical Society).

Noteworthy articles in periodicals: C. H. Haskins, *England and Sicily in the Twelfth Century* (English Historical Review, July); C. L. Wells, *The Origin of the Petty Jury* (Law Quarterly Review, July); E. M. Blackie, *Reginald Pecock* (English Historical Review, July); G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, conclusion (Revue d'Histoire Ecclésiastique, July); E. M. G. Routh, *The English at Tangier* (English Historical Review, July); Comte Marc de Germiny, *Les Brigandages Maritimes de l'Angleterre sous le Règne de Louis XVI.*, I. (Revue des Questions Historiques, July); H. A. L. Fisher, *The Historical Work of Lord Acton* (Quarterly Review, July); C. H. Bastide, *La Crise Constitutionnelle en Angleterre* (Revue de Synthèse Historique, April).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FRANCE

The first fascicule of the fourth volume of the *Inventaire Sommaire des Archives Historiques* has been published by the French Ministry of War (1910). It contains notices of volumes 2905–3094 of the principal series, "Correspondance", covering the years 1741–1745, and relating mainly to operations in Germany and the Netherlands.

The *Bibliothèque de l'École des Chartes* for January–April, 1911, publishes, in pursuance of the practice begun in 1903, a biennial summary of additions to the French and Latin manuscripts in the Bibliothèque Nationale during 1909 and 1910. This is the fifth such summary and it is announced that there will be published shortly a *Répertoire Général Alphabétique* of such additions for the period 1891–1910. The present list is prepared by H. Omont and represents 463 volumes; it does not however include M. Léopold Delisle's important collection of manuscripts relating to the history of Normandy, acquired by the National Library at his death, as the cataloguing was not yet completed.

The Academy of Inscriptions and Belles-Lettres has awarded the Grand Prix Gobert to M. Charles de la Roncière for his *Histoire de la Marine Française*, tomes III. and IV.

The large literature of the Religious Wars in France has been added to by a volume entitled *Les Luttes Religieuses en Champagne au XVI^e Siècle: La Ligue*, by A. Prevost (Troyes, G. Fremont, 1911, pp. xvi, 348).

There has been added to the *Collection de Documents Inédits sur l'Histoire de France* a volume entitled *Les Actes de Sully passés au Nom du Roi de 1600 à 1610 par devant M. Simon Fournyer, Notaire au Châtelet de Paris*, ed. F. de Mallecoüe (Paris, Imprimerie Nationale, 1911, pp. lxxii, 516).

Mr. Paul Decharme's *Le Comptoir d'un Marchand au XVII^e Siècle* (Paris, Hachette, pp. lxxvii, 245), based on the commercial correspondence, 1678–1700, of Charles Lion, merchant of Honfleur, illustrates interestingly the nature and course of mercantile business in the time of Louis XIV.

A figure of considerable interest to Americans, though of secondary historical importance, is treated competently though in a laudatory spirit by the Marquis Calmon-Maison in *L'Amiral d'Estaing* (Paris, Calmann-Lévy, 1910, pp. 513).

Among the recent volumes in the *Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française* are a third volume of M. Mourlot's selection of documents from the district of Alençon, a second volume of M. Vernier's *cahiers* of the *bailliages* of Troyes and Bar-sur-Seine, and the initial volumes of two new groups on the sale of the *biens nationaux, Vosges* (Épinal), edited by M. Léon Schwab (pp. lxxxvii, 384), and *Gironde* (Bordeaux and Bourg), edited by MM. Marion, Benzacar, and Caudrillier (pp. xxxviii, 710).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

An interesting addition to the material accumulated in the effort to connect Revolutionary and Napoleonic policies with the Old Régime is presented in Fr. Charles Roux's *Les Origines de l'Expédition d'Égypte* (Paris, Plon, 1910, pp. 343). He shows how the conception of Turkish alliance and maintenance of Turkish integrity had through the later eighteenth century been yielding in French policy before the perception of Turkish decline and how the idea of a French possession of Egypt as essential in the contest with England had been coming forward.

Part I. of the *Histoire Générale du Théâtre en France* (Paris, Flammarion) has been completed by the publication of tome V., being *La Comédie de la Révolution au Second Empire*, by M. Eugène Lintilhac.

The Librairie Renouard has published volume II. of M. Henri Bouilhet's *L'Orfèvrerie Française aux XVIII^e^ et XIX^e^ Siècles*, a volume covering the period 1800–1860. The first volume of this work covered the eighteenth century; the third will deal with the period 1860 to 1900. The books are profusely illustrated and are the work of one of the leading representatives of the art in France in the latter part of the nineteenth century.

Frédéric Loliée, author of *Le Duc de Morny et la Société du Second Empire*, has of late been devoting his gifts and attainments in the personal and gossippy sides of history to the career of Talleyrand, and some time ago published a volume entitled *Talleyrand et la Société Française*. This work has now been completed by a second volume on *Talleyrand et la Société Européenne* (Paris, Émile Paul, 1911).

An extensive *Histoire de la Guerre de 1870–1871*, in fourteen volumes, by J. L. Poirier and H. Bricoux, is to be published (Paris) by the Librairie d'Éditions et de Publications Littéraires, the first volume to be issued in August, 1911, and the later ones at intervals of three months. The two volumes on the siege of Paris will however be distributed in weekly parts from August, 1911.

An important new work begins with the publication of volume I. of Edmond Lepelletier's *Histoire de la Commune de 1871* (Paris, Mercure de France, 1911, pp. 555).

Souvenirs de Casablanca, by Captain Paul Azan (Paris, Hachette, 1911, pp. xiii, 417), is a vivid and exceedingly minute narrative of an interesting episode of recent North African warfare, composed from diaries and illustrated by many photographs, by a clever and competent young officer.

M. Paul Lacombe, who in 1902 published a *Bibliographie des Travaux de M. Léopold Delisle*, has now issued a supplement (Paris, Henri Leclerc, 1911, pp. xxiii, 87), containing the numbers 1890–2102 and various corrections to the main bibliography.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

An important addition to the religious and artistic history of France is the work entitled *Le Mont Saint-Michel: Histoire de l'Abbaye et de la Ville: Étude Archéologique et Architecturale des Monuments,* by Paul Gont, Architecte-en-Chef des Monuments Historiques (Paris, Armand Colin, 1911, pp. 772, with 470 engravings and 38 plates). It has been awarded the Prix Bordin by the Academy of Inscriptions and Belles-Lettres.

M. François Galabert, conservator of the Toulouse archives, projects, with the aid of M. Clovis Lassalle, the publication of an *Album de Paléographie et de Diplomatic, Fac-similés de Documents relatifs à l'Histoire du Midi de la France et en particulier de la Ville de Toulouse, conservés dans les Archives Méridionales.* The work will be published at Toulouse in ten issues, through five years; the facsimiles will be complete and will be accompanied by transcriptions.

Paul Courtreault gives in the *Revue des Questions Historiques* for July, under the title "Bulletin du Sud-Ouest (1909–1910)", "une vue d'ensemble sur le progrès des études préhistoriques, archéologiques et historiques dans le Sud-Ouest de la France". He cites the efforts of the Union Historique et Archéologique du Sud-Ouest (organized 1907) as representing considerable advance in scientific work in this region; the Union publishes a quarterly *Bulletin* especially in the interests of regional bibliography.

The archives of the Grimaldi family (of Genoese origin and established in Provence in the sixteenth century) acquired recently by the Prince of Monaco, have now been made accessible to students through the publication of an inventory prepared by M. G. Lavergne (Paris, Picard, 1911, pp. xii, 323). There are many documents of general interest. The Grimaldi family occupies a prominent place in a book announced by Fontemoing with the title *Les Cavallerone en France et les Cavallerone de Caravanna, 1440–1911,* by Théophile Cavallerone.

Noteworthy articles in periodicals: Gustave Fagniez, *Fancan et Richelieu,* II. (Revue Historique, July–August); L. de Preaudeau, *Fénelon Révolutionnaire* (Revue des Études Historiques, March–April); J. Loutchisky, *Les Classes Paysannes en France au XVIII^e Siècle,* I., II. (Revue d'Histoire Moderne et Contemporaine, May–June, July–August); W. Hasbach, *Ist Montesquieu ein Anhänger der Lehre von der Volkssouveränität* (Zeitschrift für Sozialwissenschaft, 1911, 1); L. Abensour, *Le Féminisme sous la Monarchie de Juillet,* II. (Revue d'Histoire Moderne et Contemporaine, May–June); Chr. Pfister, *Les Régions de la France,* VIII. *La Lorraine, le Barrois et les Trois-Évêchés* (Revue de Synthèse Historique, April).

ITALY, SPAIN, AND PORTUGAL

The *Annuario del R. Archivio di Stato in Milano per l'anno 1911* (Milan, Palazzo del Senato, pp. 147) is the first important Italian pub-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lication of the kind, and may be taken as witnessing to a growing activity in this field and showing the substantial results of the work of the new Scuola di Paleografia.

The whole work of the Società Storica Subalpina during its first eleven years of existence, 1899–1910, comprehending the sixty volumes of its *Biblioteca,* is described and reviewed at length in some thirty pages of the *Rivista Storica Italiana,* fourth series, III. 2, by Professor L. C. Bollea.

In volume II. of *Studi e Memorie per la Storia dell' Università di Bologna* (Bologna, 1911, pp. 229) the chief contents are a long article by Professor Giovanni Martinotti on the teaching of anatomy in Bologna before the nineteenth century, and another by the same author on the relation of Archbishop Prospero Lambertini, afterward Pope Benedict XIV., to that study.

An interesting addition to the monographic material for the relations between State and Church in the later Middle Ages is Oscar Wilhelm Canz's *Philipp Fontana Erzbischof von Ravenna: Ein Staatsmann des XIII. Jahrhunderts* (Leipzig, Quelle und Meyer, 1911, pp. xii, 103). Fontana was one of the chief aids of the papacy in the struggle with the imperial authority in Upper Italy; this study covers the period 1240–1270.

Dr. Karl Frey's new critical edition of Vasari's *Vite de' più eccellenti Pittori, Scultori e Architettori* (Munich, Georg Müller) begins with the publication of the first of seven or eight volumes (pp. xxiv, 914), covering only the artists from Cimabue to the Pisani, and presenting in introductions, notes, and appendixes an extraordinary variety of explanatory and illustrative matter, especially abundant in respect to the discoveries of the last twenty years in the history of Italian art. Meanwhile the Medici Society of London inaugurates its own commemoration of Vasari's quattrocentenary by bringing out the first of a luxurious series of ten volumes containing the *Lives* in a new English translation by Mr. Gaston de Vere, elaborately edited and annotated by Messrs. Edward Hutton and F. Mason Perkins.

The librarian of the Vatican Library, Mgr. Franz Ehrle, S. J., has followed his production of Du Pérac's Map of Rome, A. D. 1577 (XV. 133 of this journal) with a second issue in the same series, *Roma al Tempo di Giulio III.: La Pianta di Roma di Leonardo Bufalini del 1551, riprodotta dall' Esemplare esistente nella Biblioteca Vaticana* (Rome, Danesi, 1911). The reproduction is of great value and the text, a masterpiece of topographical learning and acumen, covers the life and works of Bufalini and the stage reached in his time by the art of engraving and the print-trade, as well as the needful comment upon the map itself. The series, *Le Piante Maggiori di Roma dei Secoli XVI e XVII,* will be continued with phototypes of seventeenth-century maps, edited in the same elaborate manner.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

M. Jacques Rambaud's doctoral thesis *Naples sous Joseph Bonaparte, 1806–1808* (Paris, Plon-Nourrit, pp. li, 572), is based on thorough researches in the archives of Paris, London, Naples, Palermo, and Rome. He has also separately published through the same house a volume of *Lettres Inédites ou Éparses de Joseph Bonaparte à Naples, 1806–1808.*

Mr. George Macaulay Trevelyan's *Garibaldi and the Making of Italy,* continuing his previous works in the same field, will be soon published by Messrs. Longmans.

The Italian semi-centennial celebrations have resulted in the publication by the Chamber of Deputies of a collection of documents, *Le Assemblee del Risorgimento,* in fifteen volumes, illustrating the history of the various representative assemblies of the period indicated, at Rome (four volumes), in Sicily (four), in Tuscany (three), at Naples (two), and elsewhere, with useful historical introductions.

The Conde de las Navas, librarian of the King of Spain, has begun the publication of an extensive *Catálogo de la Real Biblioteca* (Madrid, Ducazal). Two quarto volumes have been issued. The first is devoted to a history of the royal libraries of Spain.

Under the editorship of Don Juan Sanchez, it is announced, a journal devoted to monographs and articles in Spanish and Spanish-American history will soon begin to be published in Madrid (Suarez), bearing the title *Archivo de Investigaciones Historicas (España y América Española).*

P. Boissonade contributes to the *Revue de Synthèse Historique* for April, 1911, an important review of "Les Études relatives à l'Histoire Économique de l'Espagne et leurs Résultats". It covers the Visigothic and Mussulman periods.

Professor John M. Burnam of the University of Cincinnati intends to publish, in fifteen fascicules (Paris, Champion), *Paleographia Iberica,* containing facsimiles of manuscripts and documents of Spain and Portugal, ranging from the eighth to the fifteenth century.

A recent study of much general value for workers in Spanish material is Vlastimil Kybal's *Über die Bedeutung des General-Archivs zu Simancas für die neuere Geschichte Oesterreichs* (Wien, Gesellschaft für Neuere Geschichte Oesterreichs, 1910, pp. 65). The author goes thoroughly into the conditions of the use of the Simancas archives since their opening in 1844 and into the nature and value of the collections. As an appendix he prints the parts relating to Germany of the inventories of 1630 and 1819.

The first number of *Revista del Centro de Estudios Históricos de Granada y su Reino,* issued in the beginning of the present year, has come to hand. The title of the new periodical indicates in a general way its aims. The principal article in this issue is "Entrada de los Reyes Católicos en Granada al Tiempo de su Rendición", by Señor Mariano Gaspar Remiro, director of the *Centro.* Señor Remiro also

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

discourses upon the inscriptions of the Alhambra; Señor Nicolás Pérez Serrano contributes a paper entitled "Alzamiento de Alahmar en Arjona".

Noteworthy articles in periodicals: Weil, *Marie Caroline Reine de Naples: Lettres Inédites au Marquis de Gallo* (Revue Historique de la Révolution Française, II. 1); W. Friedensburg, *Die Einigung Italiens* (Deutsche Rundschau, March); Ersilio Michel, *Giuseppe Mazzini a Firenze e a Napoli dal Luglio al Dicembre 1860* (Nuova Antologia, April 1); G. C. Barbavara, *Le Relazioni di Cavour con Garibaldi nel Biennio 1860–1861* (Piemonte, II. 3–4).

GERMANY AND AUSTRIA

R. Oldenbourg, Munich, has published as the concluding section of Band 18 of the Bavarian Historical Commission's *Geschichte der Wissenschaften in Deutschland,* the third and final section of Professor Ernst Landberg's *Geschichte der Deutschen Rechtswissenschaft,* consisting of a volume of text (pp. xvi, 1008) and a volume of notes (pp. viii, 414).

Band VII. of Hiersemann's *Handbücher* is entitled *Deutschlands Mittelalterliche Kunstdenkmäler als Geschichtsquelle,* by Oscar Daering (Leipzig, Karl W. Hiersemann, pp. xv, 414, with 119 illustrations). The author comes from the Carolingian period to 1500 and deals with all varieties of artistic work. The same publisher has issued *Deutsche und Niederländische Holzbildwerke in Berliner Privatbesitz,* by Dr. M. J. Friedlander, director of the Kaiser Friedrich Museum, the publication being under the auspices of the Kunstgeschichtliche Gesellschaft of Berlin.

Heft 24 of Brandenburg, Seeliger, and Wilcken's *Leipziger Abhandlungen* entitled *Zur Geschichte des Reichsmatrikelwesens im ausgehenden Mittelalter (1422–1521),* by Johannes Sieber, is a doctoral dissertation at the University of Leipzig. The author does not present his work as a complete study of the subject, and acknowledges that as the publication of the *Reichstagsakten* has reached only the year 1438 such a study is not yet possible; he has proceeded on the belief however that the older material is sufficient for a preliminary study and that later detail will not modify the conclusions essentially.

Of considerable interest as a survey of the state of the question is the recent rectoral address at Tübingen of Anton Buhler, *Wald und Jagd zu Anfang des 16. Jahrhunderts und die Entstehung des Bauernkriegs* (Tübingen, J. C. B. Mohr, 1911, pp. 28). He concludes that while the forest claims of the peasants were not always legally sound, their complaints of injury through the game conditions were thoroughly justified.

Karl W. Hiersemann, Leipzig, announces the publication of *Hans Burgkmair des Jüngeren Turnierbuch von 1529,* in imperial folio, comprising sixteen hand-colored plates with explanatory text, edited by Dr.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Heinrich Pallmain. These plates had their origin in earlier wood-engravings of actual tournaments, executed by Albrecht Dürer and Hans Burgkmair the Elder by direction of the Emperor Maximilian, and the present facsimile reproductions will be of much value for those interested in the knightly equipment of the period. The book is published at 200 marks.

Georg Witzel continues in the *Westdeutsche Zeitschrift* (XXIX. 4) his studies in the economic aspects of the emigration from the Netherlands into Germany in the sixteenth century, dealing particularly with the foundation thus laid for silk industries in Frankfort during the period 1562–1614.

Mr. E. F. Henderson contributes to the *Heroes of the Nations* series (Putnams) a book on Blücher.

Professor Friedrich Meinecke's *Weltbürgerthum und Nationalstaat: Studien zur Geschichte der Deutschen Nationalstaates*, is announced in a second revised edition by Oldenbourg (Munich, pp. viii, 515). The work deals particularly with the development of the idea of German nationality through the eighteenth and nineteenth centuries and with the growth of the idea and fact of Prussian leadership.

Dr. Kurt Dorien, in his *Der Bericht des Herzogs Ernst II. von Koburg über den Frankfurter Fürstentag 1863: Ein Beitrag zur Kritik seiner Memoiren* [Historische Bibliothek von der *Historischen Zeitschrift*, Band 21] (Munich, Oldenbourg, 1910, pp. xiii, 170), chooses the particular episode of the Fürstentag of 1863 as a means of testing the *Memoirs of Duke Ernest II.*, pursues the test somewhat ponderously and diffusely, and concludes, as one might expect, that memoirs springing from so warm a temperament are not an impeccable source of historical knowledge.

The J. B. Metzlersche Buchhandlung, Stuttgart, has published *Bismarck und die Hohenzollernkandidatur in Spanien*, by Ernst Marx. The study is directed especially to the problem of Bismarck's motives in forwarding the candidacy.

The recent series of articles by M. Georges Goyau in the *Revue des Deux Mondes* has now made its appearance in book form under the title *Bismarck et l'Église: Le Culturkampf, 1870–1878* (Perrin, two volumes).

Dr. R. Charmatz's little *Oesterreichs Innere Geschichte von 1848 bis 1907* (Leipzig, Teubner, 1908; see this journal, XIV. 586, XV. 391) has advanced to a second edition, published with but slight changes.

Among the few new books on Bohemian history a prominent place will be taken by Professor Louis Leger's *La Renaissance Tchèque au XIX^e Siècle* (Paris, F. Alcan, 1911, pp. xv, 273).

A recent issue of the *Leipziger Historische Abhandlungen* (Brandenburg, Seeliger, and Wilcken) is *Das Territorium der Reichsstadt Mühl-*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

hausen i. Th.: Forschungen zur Erwerbung, Verwaltung und Verfassung der Mühlhauser Dörfer, by Dr. Raimund Steinert (Leipzig, Quelle und Meyer, 1910, pp. xv, 98). This very promising dissertation is based mainly on the Mühlhausen archives, and aims to trace in detail the gathering together of the Mühlhausen lands, and to describe the conditions of organization and government under which the rural subjects of the imperial city lived throughout its free career. A study of this kind executed with the care and thoroughness that marks this volume cannot fail to be an important addition to our exact knowledge of the old Germany.

Noteworthy articles in periodicals: Fritz Hartung, *Die Wahlkapitulationen der Deutschen Kaiser und Könige* (Historische Zeitschrift, CVII. 3); O. Rachel, *Die Handelsverfassung der Norddeutschen Städte vom 15. bis 18. Jahrhundert* (Jahrbücher für Gesetzgebung, 1910, 3); A. C. McGiffert, *Martin Luther and his Work,* VIII., IX., X. (Century, July, August, September); R. von Schrötter, *Die Ergänzung des Preussischen Heeres unter dem ersten Könige* (Forschungen zur Brandenburgisch-Preussischen Geschichte, XXIII. 2); M. Hamisch, *Das Oesterreichische Tabakmonopol im 18. Jahrhundert* (Vierteljahrschrift für Sozial- und Wirthschaftsgeschichte, VIII. 2–3); H. Van Houtte, *Contribution à l'Histoire Commerciale des États de l'Empereur Joseph II.* (Vierteljahrschrift für Sozial- und Wirthschaftsgeschichte, VIII. 2–3); H. Oncken, *Deutschland und Oesterreich, 1871–1911* (Deutsche Rundschau, April); O. Schneider, *Bismarck und die Preussisch-Deutsche Freihandelspolitik* (Jahrbücher für Gesetzgebung, 1910, 3); G. Goyau, *Bismarck et l'Épiscopat,* V. (Revue des Deux Mondes, May 7); C. Varrentrapp, *Briefe an Ranke von einigen seiner Schüler: Sybel, Carlson, Herrmann, Pauli und Noorden* (Historische Zeitschrift, CVII. 1).

NETHERLANDS AND BELGIUM

The Historisch Genootschap te Utrecht has published in two volumes of its *Werken* (third series, no. 27, ed. J. A. Feith and H. Brugmans) *De Kroniek van Abel Eppens tho Equart,* an important new source for the history of Groningen and East Friesland, especially for the period 1580–1589; and will shortly issue a volume of church visitations of the same century, *Kerkvisitaties in het Sticht Utrecht in 1566 en volgende Jaren,* ed. S. Muller Fz.

The Dutch Committee of Advice on National Historical Publications has entrusted to Dr. Gisbert Brom, director of the Dutch Historical Institute in Rome, the preparation of a collection of documents in Roman archives illustrating the history of Reformation and Counter-Reformation in the Netherlands, 1517–1602.

Noteworthy articles in periodicals: V. Pabst, *Die äussere Politik der Grafschaft Flandern unter Ferrand von Portugal, 1212–1233* (Bulletin de la Commission Royale [Belge] d'Histoire, LXXX. 2).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NORTHERN AND EASTERN EUROPE

The Taylorian Curators at Oxford have elected Professor C. Raymond Beazley of Birmingham to give the Ilchester Lectures on Russian History in 1912.

Volume IV. of the Cornell University Library's *Islandica,* prepared like the preceding annual issues by Mr. Halldór Hermannsson (Ithaca, 1911, pp. 83), is devoted to the ancient laws of Norway and Iceland. It is not, like its predecessors, confined to books already in the Fiske Library, but presents the general bibliography of the subject as completely as possible, and with sparing but excellent annotations.

MM. Perrin, of Paris, have published *L'Europe et la Jeune Turquie: Les Aspects Nouveaux de la Question d'Orient,* by René Pinon, author of various other works in this field.

THE FAR EAST AND INDIA

Professor K. Asakawa's Notes on Village Government in Japan after 1600, in volumes XXX. and XXXI. of the *Journal of the American Oriental Society,* give more complete institutional information of this side of Japanese feudalism than can be found elsewhere in English.

Hawkling L. Yen's *Survey of the Constitutional Development in China,* which appears among the *Columbia University Studies in History, Economics, and Public Law* (Longmans), is the work of an Oriental who maintains that Western civilization may learn something to its advantage from the political institutions of China.

De Vestiging van de Nederlanders aan de Kust van Koromandel, doctoral dissertation of Mr. Heert Terpstra (Groningen, De Waal, 1911, pp. 212), confines itself to the period of foundation, from the voyage of the *Delft,* 1605, to the end of 1610. The importance of the Coromandel coast to the Dutch lay in the opportunity for carrying trade by exchanging its cottons against the spices of the Moluccas. With careful archival research and excellent knowledge of these cloths and of commercial and economic conditions in the East Indies, Mr. Terpstra tells with sobriety an interesting and not unimportant tale.

AMERICA

GENERAL ITEMS

Mr. W. G. Leland's researches in Paris archives on behalf of the Carnegie Institution of Washington are drawing to a conclusion and he will return to the United States in November. The summer not sufficing for the inspection of the Foreign Office and Admiralty papers from 1837 to 1860, undertaken by Professor Charles E. Fryer in order to complete the volume prepared by Dr. Charles O. Paullin and Professor Frederic L. Paxson, its completion will be carried through by Mr. David W. Parker, who goes to London for that purpose in October. Meantime he has finished at Halifax and Fredericton, as well as at Ottawa, the prepa-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ration, so far as those archives are concerned, of his *Guide to the Materials for United States History in Canadian Archives*. Examination of the archives of Toronto is necessarily postponed by local conditions. It has been decided that Mr. Roscoe R. Hill's calendar of the materials for United States history in the section of the Archives of the Indies known as the "Papeles procedentes de la Isla de Cuba" shall be extended a year longer than was originally contemplated, being brought to a termination in the spring of 1913 instead of 1912, by reason of the unexpected abundance of material found. Much of the endeavor of the Department of Historical Research in the year 1912 will be devoted to preparations for the making of an atlas of the historical geography of the United States.

The Division of Manuscripts in the Library of Congress has recently acquired the public and private papers, 1810–1876, of the Emperor Augustin Yturbide of Mexico; a miscellaneous collection of manuscripts relating to West Florida affairs and Andrew Jackson's connection therewith, 1799–1827; the papers of Gideon Welles; and those of J. L. M. Curry. *The Calendar of Van Buren Papers* has been issued.

A History of the United States for Schools, with maps and illustrations, by A. C. McLaughlin and C. H. Van Tyne, has been published by Appleton.

The May number of the *Magazine of History* contains a statement by Mr. Victor H. Paltsits concerning the classic nomenclature of western New York, which shifts the responsibility for that nomenclature from the shoulders of Simeon DeWitt to those of Governor George Clinton, Secretary Lewis A. Scott, Treasurer Gerard Bancker, and Auditor Peter T. Curtenius. The *Magazine* also prints several letters of interest, including one from James McHenry to Governor Hawley (January 2, 1781), one from Henry Knox to Samuel Osgood (July 9, 1782) concerning Baron Steuben, and one from Washington to John Gill (November 12, 1799) relative to a land transaction. There is also a portion of a letter from James Madison to Alexander Hamilton (November 27, 1797), which sounds like the preliminaries of a duel. It is to be regretted that the *Magazine* could not print the letter entire since it brings into view an episode in the personal history of the two men that is not generally known. The entire letter, nevertheless, leaves the episode still in some obscurity.

Mr. Edward Myers is publishing in the *Magazine of American History*, a small periodical issued at Port Chester, New York, some brief sketches of the work of the Society for the Propagation of the Gospel in Foreign Parts.

Dr. B. C. Steiner continues his annalistic survey of Maryland history by an installment in the *Johns Hopkins University Studies* (XXIX. 1) entitled *Maryland under the Commonwealth: a Chronicle of the Years 1649–1658* (pp. 178). No. 2 of the volume is *The Dutch Republic and*

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the American Revolution, by Dr. Friedrich Edler of the German embassy in Washington. A monograph by Professor W. T. Laprade on the History of Slavery in the District of Columbia is announced to appear in the same series.

Students of the history of American educational management will be glad to have *A History of Public Permanent Common School Funds in the United States, 1795–1905* (New York, Holt, 1911, pp. 493), by Mr. Fletcher H. Swift, professor of education in the University of Minnesota.

Mr. Otto Heller contributes to the January issue of the *German American Annals* several of Charles Sealsfield's descriptions of American life, which appeared in German periodicals in 1828, and Mr. Preston A. Barba discusses the sources of these descriptions. In the same number of the *Annals* appears an installment of the "Journal of Du Roi the Elder", lieutenant and adjutant in the service of the Duke of Brunswick, 1776–1777, translated from the original German manuscript in the Library of Congress by Charlotte S. J. Epping.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

No. 81 of the *Publications* of the Hispanic Society of America is an *Atlas of Portolan Charts, printed in facsimile of Manuscript in the British Museum*, edited by Dr. E. L. Stevenson, who writes an introduction and gives a list of the charts.

Professor Ernst Daenell, well known in various American universities through his lecture courses of the past year, has just published *Die Spanier in Nordamerika von 1513 bis 1824*, as Band 22 of the *Historische Zeitschrift's Historische Bibliothek* (Munich, R. Oldenbourg, pp. xv, 247).

Volume I. of *An Historical Digest of the Provincial Press*, compiled and edited by L. H. Weeks and E. M. Bacon, the plan of which was mentioned in a previous number of this journal, has now appeared (Boston, Society for Americana).

Mr. Clarence M. Burton has edited, and the Society of Colonial Wars of the State of Michigan has published (Detroit, pp. 55, with three maps), the *Journal of J. L.* [John Lees, sr.] *of Quebec, Merchant*, being Brit. Mus. Add. MS. 28,605. It is a journal of travel from London in 1768 to Boston, New York, Albany, Fort Stanwix, Fort Oswego, Niagara, Erie, Detroit, and Montreal, and is an interesting narrative, very well annotated.

The Rev. Madison C. Peters has written a sketch bearing the title *Haym Salomon, the Financier of the Revolution: an unwritten Chapter in American History* (Baker and Taylor Company, pp. 49). The sketch is produced in connection with the movement to erect a monument to Salomon. As touching this movement attention may be called to a note entitled "False Heroes", by Mr. Worthington C. Ford, in the *Nation* for June 29.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Treasury Department's Committee on Auditing has issued a report on *The Accounting System of the United States from 1789 to 1910* (Washington, 1911, pp. 116), embracing some 20 pages of historical data followed by a reprint of laws relating to the auditing offices.

M. Albert Mathiez has published in separate form the *Lettres de Volney à La Révellière-Lépeaux, 1795–1798,* respecting America.

Rafinesque: a Sketch of his Life, with Bibliography (pp. 239), by T. J. Fitzpatrick, M. S., has been published at Des Moines by the Historical Department of Iowa. Constantine Samuel Rafinesque, naturalist, was born in a suburb of Constantinople in 1783, came to the United States first in 1802, and took up his residence permanently in this country in 1815. From 1819 to 1825 he lectured at Transylvania University in Lexington, Kentucky; afterward he made his residence principally in Philadelphia, where he died in 1840. He made numerous scientific excursions in different parts of the United States, particularly in the West, and wrote many books and articles on subjects of natural history. The author of this sketch gathers the principal facts in the life of Rafinesque and includes several appreciations (and some criticisms) from fellow naturalists. The sketch occupies 62 pages of the volume, the bibliography 155, including numerous title-pages in facsimile, and a "Bibliotheca Rafinesque" covers twenty pages more.

Mr. A. C. Quisenberry's *General Zachary Taylor and the Mexican War,* which appeared in the May number of the *Register of the Kentucky State Historical Society,* has been issued separately by the society (pp. 72), with an introduction by the editor of the *Register,* Mrs. Jennie C. Morton.

A volume of *Selections from the Letters, Speeches, and State Papers of Abraham Lincoln,* edited by Miss Ida M. Tarbell, has been published by Ginn and Company.

The Photographic History of the Civil War, which the Review of Reviews Company some time ago projected, has now appeared.

The J. P. Bell Company of Lynchburg have brought out *Personal Reminiscences of the War of 1861–1865,* by W. H. Morgan.

The History of the 3d, 7th, 8th, and 12th Kentucky, C. S. A., by Henry George, has been published in Louisville by C. T. Dearing. The author was a member of the Seventh Kentucky regiment.

A. C. McClurg and Company announce for publication this autumn a volume of recollections by Senator Shelby M. Cullom to be entitled *Fifty Years of Public Service.*

B. W. Huebsch will bring out in the autumn the autobiography of Tom L. Johnson. A biography, by Carl Lorenz, has already appeared from the press of A. S. Barnes and Company.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Volume XXX. of the *New Hampshire State Papers*, edited by Mr. Albert S. Batchellor (Manchester, pp. xvii, 658) is devoted to miscellaneous Revolutionary documents, including the Association test, the pension rolls, and other important papers.

After twenty-five years of labor, chiefly conducted by the late Messrs. John Noble and William P. Upham, the early files of the courts of last resort in Massachusetts, extending from 1629 to 1800, have been systematically arranged and preserved for historical examination. The collection now fills 1293 volumes of unusual size and contains the records of about 175,000 cases, including about a million papers, illustrating almost every aspect of the history of Massachusetts.

The city registrar of Boston has published as volume XXXIX. of the city's record series the *Minutes of Selectmen's Meetings* from September 1, 1818, to April 2, 1822.

The Essex Institute has recently published the third volume of the *Diary of William Bentley, D.D.*, pastor of the East Church of Salem: it traverses the years 1803–1810.

The Connecticut Historical Society has recently published in its *Collections* the second volume of the Law papers, largely made up of documents respecting the defense of Louisburg, the proposed expedition against Crown Point, and the frontier war against the Indians.

"An Act relating to Public Records and Historical Documents", which was passed by the general assembly of New York in June, creates the office of supervisor of public records and places both that office and the existing office of state historian under the Education Department, the latter office being altered in title to "Division of History". The clause defining the functions of the Division of History is phrased with curious limitations, stating its duties to be the preparation for publication of "all official records, memoranda, and data relative to the colonial wars, war of the revolution, war of eighteen hundred and twelve, Mexican war and war of the rebellion, together with all official records, memoranda, and statistics affecting the relations between this commonwealth and foreign powers, between this state and other states, and between this state and the United States". *Voilà tout.* The governor has appointed Mr. Thomas C. Quinn of New York City supervisor of public records.

The latest historical additions to the *Columbia University Studies in History, Economics, and Public Law* are *Political History of New York State during the Period of the Civil War*, by Mr. S. D. Brummer (New York, Longmans), and Mr. Edgar J. Fisher's *New Jersey as a Royal Province*, which treats of the political history of the province and of its part in the colonial wars and in the preliminaries of the Revolution.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The opening pages of the April issue of the *Pennsylvania Magazine of History and Biography* are devoted to the record of the presentation of the portrait of the late Henry Charles Lea to the Historical Society of Pennsylvania, including remarks by William Brooke Rawle, Hampton L. Carson, and Samuel W. Pennypacker. Mr. Edward R. Turner is the author of a valuable paper on "Slavery in Colonial Pennsylvania", while Mr. William Nelson writes an interesting sketch of the beginnings of the iron industry in Trenton, New Jersey. The principal documentary materials are the continuation of the orderly book of General Muhlenberg; the records of St. Paul's Evangelical Lutheran Congregation, Lehigh County, Pennsylvania, 1750–1764; William Penn's account with Samuel Jennings, receiver-general, 1690–1693; and the town dockets of Chesterfield township, Burlington County, New Jersey, 1692–1712, printed from the original in the Library of Congress. In the "Notes and Queries" department appear several eighteenth-century letters that are of interest.

Documentary publications in the July issue of the same magazine are: letters of James Logan to Thomas Penn and Richard Peters; extracts from the diary of Joseph Heatly Dulles (1814), contributed by Charles W. Dulles; selections from the diary of Christiana Leach, of Kingsessing, 1765–1796, contributed by Robert H. Hinckley; an installment of the orderly book of Colonel Henry Bicker, of the second Pennsylvania Continental line, edited by Dr. John W. Jordan; a letter from Colonel William Thompson, January 25, 1775; and one from General John Armstrong, December 22, 1777. Contributed articles are: "A Philadelphia Schoolmaster of the Eighteenth Century" (David James Dove), by Joseph Jackson; and "Who was the Mother of Franklin's Son", by Charles Henry Hart.

We have received the *Acts and Proceedings* of the sixth annual meeting of the Pennsylvania Federation of Historical Societies held at Harrisburg on January 5. Among the proceedings is a valuable report on the preservation of manuscript records, brought in by a committee composed of Professor Herman V. Ames, Mr. Albert Cook Myers, and Mr. H. Frank Eshleman. The address of the president, Mr. Gilbert Cope, points out the lines of effort of the federation. The conspectus of the work of the component societies continues to be a valuable feature of the *Acts and Proceedings* of the federation as published.

Mr. P. Lee Phillips, chief of the Division of Maps of the Library of Congress, has brought out through Lowdermilk a bibliographical account and facsimile reproduction of the rare map of Virginia and Maryland by Augustine Herrman, first lord of Bohemia Manor, Maryland.

The *Bulletin* of the Virginia State Library for January, 1911, comprises principally "A List of the Official Publications of the Confederate States Government in the Virginia State Library and the library of the Confederate Memorial Literary Society". The items number 659

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and include titles of bills, committee reports, resolutions, and other printed documents of a sort not included in Dr. D. S. Freeman's *Calendar of Confederate Papers.* Much also of this material has been brought to light since Mr. Hugh A. Morrison published his *Bibliography of Official Publications of the Confederate States of America.* The *Bulletin* prints also four reports of the superintendent of public printing of the Confederacy belonging to the years 1863 and 1864.

Appended to the *Seventh Annual Report* (1909–1910) of the Library Board of the Virginia State Library is a *Record of Virginia Copyright Entries, 1790–1844,* with an introduction by J. H. Whitty. These entries were copied by Mr. Whitty from loose title-pages which were formerly in the possession of Judge Robert W. Hughes. Another appendix to the *Report* is a monograph of forty-seven pages, made up largely of documentary records, on the seals of Virginia.

The *Virginia Magazine of History and Biography* prints in the July issue a long letter, dated February 10, 1756, from Rev. James Maury to Philip Ludwell on the defence of the frontiers of Virginia. Other items of interest in this number are: the instructions to Lord Culpepper, November 7, 1682, from the Randolph manuscript; a letter from Thomas Ludwell to Lord Berkeley of Stratton relative to conditions in Virginia; some correspondence between Governor Berkeley and Lord Arlington; a letter from Governor Spotswood to the governor of North Carolina (1712) relative to the Indians; and an "Examination of Indians" (1813).

The July number of the *William and Mary College Quarterly Historical Magazine* contains a letter of George Washington to Colonel William Washington, September 21, 1794, a letter of Madison to Thomas W. Gilmer in 1830, on education, one of Clay to the same gentleman, 1836, on distribution of the surplus, and one of Calhoun to the same, 1843, on the political position of Virginia. A list of Virginia pensioners of 1782 is also presented.

The *John P. Branch Historical Papers,* volume III., no. 3 (issued in June) comprises principally a group of letters of Thomas Ritchie, ranging in date from 1813 to 1844, although few of them antedate 1830. A number of the letters are to William C. Rives and relate mainly to politics, several are to Archibald Ritchie, a brother, two are to Martin Van Buren, one to James Madison, and one to Benjamin F. Butler. In addition to the letters there is an address, eight pages in extent, to the Democrats of Virginia, October, 1840, and also an editorial by Ritchie, which appeared in the *Richmond Enquirer,* August 12, 1842, replying to criticisms of his attitude toward John C. Calhoun. A letter of C. W. Gooch to Van Buren (1835) relative to Ritchie possesses considerable interest. This issue of the *Papers* contains also a sketch of William B. Giles, by George M. Betty.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The article of chief interest in the June issue of the *Records of the American Catholic Historical Society* is "Catholics in Colonial Virginia", by Martin I. J. Griffin.

A *Biographical Sketch of Hon. Charles Fenton Mercer, 1778–1858* (pp. 95), by Professor James Mercer Garnett, has been privately printed at Richmond (Whittet and Shepperson). Mercer was for a time a member of the Virginia House of Delegates, and from 1817 to 1840 a member of Congress. During his service in Congress and afterward he was active in opposition to the slave trade. The author includes in his biography an autobiographical sketch of Mercer, twenty pages in extent, some of his addresses, and considerable of his correspondence. The correspondence includes letters to and from Bishop Hobart of New York, pertaining principally to the earlier part of Mercer's career, and some letters written from Europe in the later years of his life.

In accordance with an arrangement which we have previously mentioned as likely to take place, the Society for the Preservation of Virginia Antiquities has come into possession of the house of Chief Justice Marshall in Richmond and will preserve it as a memorial and a museum of objects connected with his life.

The *Third Biennial Report* of the Department of Archives and History of the State of West Virginia, prepared by Virgil A. Lewis, state historian and archivist, has appeared. Embodied in the *Report* is a classified list of works relating to West Virginia, which are on the department's shelves. Accompanying the *Report* is a variety of documentary material, together with narrative and explanatory matter, bearing the title "The Soldiery of West Virginia in the French and Indian War, Lord Dunmore's War, the Revolution, the later Indian Wars, the Whiskey Insurrection, the Second War with England, the War with Mexico, and Addenda relating to West Virginians in the Civil War" (pp. 279). Many of these pages are occupied with lists of soldiers, pensioners, etc. Although most of this material has been printed elsewhere the assembling of it in such a volume is a useful labor.

A region having marked individuality is treated by Mr. Alfred Moore Waddell in *A History of New Hanover County and the Lower Cape Fear Region* (Wilmington, N. C., the author), of which volume I., now published, runs from 1723 to 1800.

The contents of the *South Carolina Historical and Genealogical Magazine* for July are for the most part continuations. Mr. Henry A. M. Smith writes a history of the Sewee barony, being the fifth of his papers on the baronies of South Carolina; J. F. Grimké's "Journal of the Campaign to the Southward, May 9 to July 14, 1778," covers the events of June; and the documentary contributions of Miss Webber and Mr. Salley are continued. This number of the *Magazine* includes also a statement of Dr. Robert Lebby concerning "The First Shot on Fort Sumter". Dr. Lebby was a practising physician on James's

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Island at the time and writes from personal recollection, besides offering other evidence.

The minutes of the commissioners of the Navy Board of South Carolina, October 9, 1776, to March 23, 1780, with some other documents respecting the South Carolina navy, came somehow into the possession of the state of New York early in the nineteenth century. Efforts of South Carolina to recover them just before the Albany fire proved unavailing. They have now however been restored to the Historical Commission of South Carolina, though with some serious damage from the fire, and will before long be printed by that commission.

Mr. Peter J. Hamilton has brought together his recent studies in the early history of Mobile, made in connection with the celebration in May, 1911, of the bicentenary of the founding of the city, and has published them in a pamphlet of 104 pages with the title *The Founding of Mobile, 1702–1718* (Mobile, Commercial Printing Company). At the end of the volume is a map showing the relation of the French town to the modern city. The author states that these studies are based upon manuscript and early sources and are in large measure independent of and supplementary to his *Colonial Mobile*.

In addition to the anticipatory notice of the contents of volume XI. of the *Publications* of the Mississippi Historical Society mention may be made of the following papers: "Evolution of Wilkinson County", by J. H. Jones; "Antebellum Times in Monroe County", by E. F. Puckett: and "Beginning of a new Period in the Political History of Mississippi", by Professor G. H. Brunson.

A reprint (in English only) of the *Acts passed by the Twenty-Seventh Legislature of the State of Louisiana in extra Session at Opelousas, December, 1862, and January, 1863,* originally published at Natchitoches in 1864, has been brought out in New Orleans by J. G. Hauser.

The Texas Library and Historical Commission, constituted under act of March 19, 1909, presents now its *First Biennial Report* (Austin, 1911, pp. 44, 337). The librarian reports the acquisition of the diary of Judge Anderson Hutchinson during his captivity in Mexico, 1842–1843, of a body of letters of Albert T. Burnley, loan commissioner of the republic from 1837 to 1840, and, most important of all, of the papers of President Mirabeau B. Lamar. Good plans respecting the publication of a series entitled *Texas Archives* are reported. As a specimen, the Secret Journals of the Senate of the Congresses of the Republic of Texas (excepting the ninth), 1836–1845, are presented in a well-edited text of 337 pages.

In the July number of this journal (p. 889) mention was made of the acquisition by the University of Texas of the papers of Colonel Anthony Butler. In the issue of the *Nation* for June 15, Professor Eugene C. Barker gives a more extended account of these papers.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The State Library of Texas has come into possession of three rare volumes of Texas laws: a translation into Spanish of 116 of the general laws of 1836–1841; a translation into German of 101 laws of 1849–1850; and a translation into German of 79 laws of 1853–1854. None of these volumes was known to any of the large law libraries of the United States.

The principal paper in the July issue of the *Quarterly of the Texas State Historical Association* is "The Aguayo Expedition into Texas and Louisiana, 1719–1722" (pp. 65), by Eleanor Claire Buckley. The work represents extensive investigation into primary as well as secondary sources. Besides the author's annotations and comments, a number of valuable notes are furnished by Professor Herbert E. Bolton. In an article on "The Jumano Indians in Texas, 1650–1771", Professor Bolton in a measure clears up from recently discovered materials the obscurity of Jumano history after the middle of the seventeenth century.

Dr. Gilbert G. Benjamin's interesting *The Germans in Texas: a Study in Immigration,* noticed by us on its appearance in articles in volume VII. of *German American Annals,* is now available as a separate book (Philadelphia, Americana Germanica Press, pp. 161).

The *Ohio Archaeological and Historical Quarterly* prints in its April–July issue a history of Logan, the Mingo chief (1710–1780), from the Draper manuscripts, and a journal of the Kendal community, contributed, with a prefatory statement, by Mr. W. P. Fox. The Kendal community was a religious community that existed from 1826 to 1829 at Kendal (now a part of Massillon), Ohio. The other papers of chief importance in this issue of the *Quarterly* are: "The Ohio River", by A. B. Hulbert; "The Cincinnati Municipal Election of 1828", by Mary Baker Furness; and "Oberlin's Part in the Slavery Conflict", by W. G. Burroughs.

The April–June issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* is entirely occupied with selections from the Torrence papers, this being the sixth group of those papers which the *Quarterly* has published. The letters date from 1812 to 1827 and are mainly to Thomas Sloo, jr., who was prominently connected with the Miami Exporting Company, the second United States branch bank of Cincinnati, and the Illinois-Michigan canal; they therefore illustrate commercial conditions in the West during the period.

In *Ohio Politics during the Civil War Period* (Columbia University Studies in History, Economics, and Public Law) Mr. G. H. Porter makes a careful study of Ohio's attitude toward national questions and the part which the state took in national affairs during the period.

In the *Indiana Quarterly Magazine of History* for June Professor Christopher B. Coleman offers some reflections on the development of state constitutions, and Mr. W. D. Waldrip writes of Newport, Indiana, as a station of the Underground Railroad.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The legislature of Illinois at its last session appropriated $2500 for inspection of and reporting upon county and other local archives during the next biennial period, and $5500 per annum for the work of procuring and preserving documentary historical materials. It has also appointed a commission to prepare plans for a building in Springfield in which, among other scientific and historical objects, the State Historical Library and perhaps the archives shall be cared for.

The July issue of the *Journal of the Illinois State Historical Society* is occupied in large measure with the society's annual reports, but there are also several brief articles. Mr. Charles M. Thompson contributes a short account of "The Monetary System of Nouvelle France"; Mr. J. F. Stewart a description of the Sac and Fox trail, with maps; Mr. J. O. Cunningham an account of the Danville and Fort Clark road; and Mr. Duane Mowry some material for the life of Senator James R. Doolittle.

Volume XXXVII. of the *Collections* of the Michigan Pioneer and Historical Society (Lansing, 1910, pp. 761) contains the territorial records of the period 1803–1815, from the Burton Library; letters on the fur-trade, 1833, by William Johnston; territorial papers of 1831–1836, correspondence of territorial governors, etc., chiefly from the Schoolcraft collection; and Perrault's relation of the travels and adventures of a merchant voyageur, 1783–1820. The society intends before long to begin the printing of a series of papers relating to the French Northwest, translated from the texts of Margry after collation with the latter's original papers in the Bibliothèque Nationale at Paris.

At its biennial session recently ended, the Wisconsin legislature not only increased the annual stipend of the Wisconsin Historical Society by $5000 but made a special grant of $162,000 for the erection of a new wing to the society's library building.

The Wisconsin History Commission has brought out *Wisconsin Women in the War between the States* (pp. xix, 190), by Miss Ethel Alice Hurn, an interesting account of soldiers' aid societies, hospital services, and the like, based on varied manuscript, pamphlet, and newspaper material.

Mr. Warren Upham, secretary of the Minnesota Historical Society, has in preparation a volume of Minnesota biography, one on Minnesota geographic names, and another relating to the history of the society.

The *Tenth Biennial Report* of the Historical Department of Iowa contains a list of the bound volumes of Iowa newspapers in possession of the department.

Miss Ethyl Edna Martin writes for the July number of the *Iowa Journal of History and Politics* an account of the expedition of Zebulon M. Pike to the sources of the Mississippi in 1805 and 1806. Pike's own account, published in 1810, has been largely drawn upon but several

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other sources have been consulted. An analysis of the settlement of Woodbury County, Iowa, by Professor F. H. Garver, is a useful study of the movement of population westward of the Mississippi. "The Territorial Convention of 1837" comprises a group of documents bearing upon the convention taken for the most part from the *Iowa News*. Besides the proceedings of the convention appear the proceedings of various public meetings and some memorials presented to the convention. The *Journal* also reprints from the *Iowa News* the proceedings of a council with the Chippewa Indians held by Governor Henry Dodge of the original Territory of Wisconsin, in July, 1837.

In the July number of the *Missouri Historical Review* Mr. Frederick J. Teggart gives an account of the capture of St. Joseph, Michigan, by the Spaniards in 1781 and discusses the reasons for the expedition. Mr. Teggart's account is based upon original documents in the Pinart-Bancroft collection in the University of California, and his conclusions are at variance with some that have hitherto been advanced. In the same issue of the *Review* Dr. Jonas Viles discusses the population and extent of settlement in Missouri before 1804.

The third volume of the *Publications of the Arkansas Historical Association* is now in the press and will be distributed about the first of November. Among the chapters are: Constitutional Convention of 1836, Reminiscences of a Federal Prisoner in Arkansas, Legal Status of the Slave in Arkansas, Chester Ashley, and the History of Suffrage in Arkansas. Among the contributors are Judge Jacob Trieber, Judge U. M. Rose, and Joseph T. Robinson.

The Arkansas History Commission has appointed Mr. Dallas T. Herndon, a recent doctor of philosophy of the University of Chicago, its secretary. His work will correspond to that of the directors of the departments of archives and history in other states.

Among the announcements of McClurg is *Kansas in the Sixties*, by Samuel J. Crawford, "war governor".

Volume III. of *Constitutions and Conventions of Nebraska*, published by the State Historical Society, is now in press; the society also has in preparation an additional volume of *Collections*.

A commission created by act of the legislature of Nebraska has been marking the old Oregon Trail throughout its course in that state.

Volume V. of the *South Dakota Historical Collections* (Pierre, 1910 [1911], pp. 444) contains a full account of the "capital and capitol history" of South Dakota, reminiscences of Dakota campaigns by John Pattee, an account of early surveys, and several papers on the Sioux Indians.

Historia Illustrada de Nuevo Mexico (pp. 616), by Mr. B. M. Read, is published in Santa Fé, by the Compañia Impresora del Nuevo Mexicano.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The December (1910) number of the *Quarterly of the Oregon Historical Society* has but recently come to hand. With it comes the title-page for volume XI. of the *Quarterly*, "March, 1911–December, 1911". This is evidently an error for 1910. In this number appears part I. (the period of provisional government) of "The Rise and Early History of Political Parties in Oregon", a doctoral dissertation by W. C. Woodward. It is in two chapters, the first treating of the political basis as found in settlement and the second of American self-government. Part II. will treat of political organization during the period of the territorial government, and part III. of the Civil War period. The Oregon archives are used to some extent in the preparation of the work but for the most part reliance is placed on secondary sources. The *Quarterly* continues the Peter Skene Ogden journals and Professor F. G. Young's "Financial History of Oregon".

The Academy of Pacific Coast History has published the *Diary of Pedro Fages*, edited by Professor Herbert E. Bolton. The diary describes an expedition from Monterey to San Francisco Bay in 1770.

General Stephen W. Kearny and the Conquest of California, 1846–1847 (pp. 35), by Valentine Mott Porter, vice-president of the Missouri Historical Society, has been reprinted from the *Annual Publications* of the Historical Society of Southern California. The purpose of the paper, says the author, "is to try to direct attention to General Kearny's services in California, to point out some omissions, inaccuracies, and wrong conclusions in the current histories, and, for the benefit of those who regard the winning of California as a not altogether glorious chapter in American history, to hold up before them one 'Conqueror' upon whom there is no taint of the spoiler or the charlatan". A letter from General Kearny to his wife, dated December 19, 1846, describing conditions in San Diego, is printed in full, and there are portraits of Kearny, Stockton, and Frémont.

The Philippines Library at Manila, now under the conduct of Dr. James A. Robertson, has recently acquired by purchase the famous library of Filipiniana owned by Dr. T. H. Pardo de Tavera. This makes that institution's collection of Philippine books the largest in the world.

The *Report of the Work of the Archive Branch* for the year 1909 (pp. 125), an appendix to the annual report of the Canadian Minister of Agriculture, is chiefly occupied with a list of the contents of a body of (duplicate) original despatches relating to Lower and Upper Canada, from 1771 to 1840, received from the Colonial Office in London. The Archive Branch has just issued Mr. H. P. Biggar's *The Precursors of Jacques Cartier, 1497–1534, a Collection of Documents relating to the Early History of the Dominion of Canada* (pp. xxxi, 213).

The June issue of the *Annals of the American Academy of Political and Social Science* bears the secondary title "Political and Social Progress in Latin America". The papers treat largely of matters commer-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cial although some of them are of an historical character, for instance: "The Monroe Doctrine of the Fourth Pan-American Conference", by Alejandro Alvarez, and "The Social Evolution of the Argentine Republic", by Ernesto Quesada.

As volumes XXXV. and XXXVI. of his *Documentos Inéditos ó muy Raros para la Historia de México* (Mexico, Bouret, 1911, pp. 328, 340) Señor Genaro García has published, from a unique copy of the original edition (Puebla, 1824), *La Cooperacion de Mexico en la Independencia de Centro America,* by General Vicente Filisola, who in 1822 and 1823 commanded Iturbide's troops in Guatemala and San Salvador, and who afterward played a part in the war against Texas. The memoir, a bitter defense against detractors, is rich in important documents.

In a portion of the *Revista de la Biblioteca Nacional,* also separately published, Señor Carlos de Velasco publishes a series of biographical accounts, with portraits, of the thirty members of the Academy of History of Cuba, instituted by the president of the republic, as previously mentioned in these pages, by decree of August 20, 1910—*Los Académicos de Número* (Havana, Biblioteca Nacional, 1910, pp. 68).

Señor Fernando Ortiz has brought to light a manuscript *Historia de Santiago de Cuba,* written in 1823 by José María Callejas, lieutenant-colonel of artillery, and has printed it, first in the *Revista Bimestre Cubana* and now separately (Havana, 1911, pp. 136). The manuscript has undergone in the hands of Señor Ortiz some needful arrangement and much correction of errors which were probably clerical, and the orthography has been adapted to present usage. The work of Callejas essentially pertains to the quarter of a century ending in 1823, the history prior to 1798 being little more than a skeleton chronicle occupying less than 40 pages to about 80 devoted to the period after that date. Probably the chapter of greatest interest is that covering the administration of Sebastián Kindelán. The editor furnishes an introduction (18 pages) relative to the author and his work.

A Study of the Question of Boundaries between the Republics of Peru and Ecuador, a translation by H. W. Van Dyke of the work of Vicente Santamaría de Paredes, has been privately printed in Washington by Byron S. Adams.

The Argentine Ministry of Foreign Relations has published the third volume of its *Catálogo de Documentos del Archivo de Indias en Sevilla, referentes a la Historia de la República Argentina, 1778–1820* (Buenos Aires, 1911, pp. 329).

Noteworthy articles in periodicals: S. G. Morley, *The Historical Value of the Books of Chilan Balam* (American Journal of Archaeology, April–June); J. G. Rosengarten, *Moreau de Saint Mery and His French Friends in the American Philosophical Society* (Proceedings, May–June); D. D. Wallace, *Jefferson's Part in the Purchase of Louisiana* (Sewanee Re-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

view, July); E. A. Cruikshank, *Harrison and Procter: the River Raisin* (Transactions of the Royal Society of Canada, third series, IV. 2); D. R. Anderson, *William B. Giles and States Rights in Virginia after the War of 1812* (South Atlantic Quarterly, July); James Ford Rhodes, *The Railroad Riots of 1877* (Scribner's, July); *id., The National Republican Conventions of 1880 and 1884* (*ibid.*, September); Frederick Funston, *Philippine Experiences*, I.–IV. (*ibid.*, June–September); E. L. Bogart, *History of the State Debt of Ohio* (Journal of Political Economy, February, May).

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED